

GRAND JUNCTION CITY COUNCIL
CITY HALL AUDITORIUM, 250 NORTH 5TH STREET
AGENDA

WEDNESDAY, MAY 15, 2002, 7:30 P.M.

CALL TO ORDER

Pledge of Allegiance
Invocation - Pastor Dan Wilkenson, Liberty Baptist Church

PROCLAMATIONS / RECOGNITIONS

PROCLAMATION DECLARING THE WEEK OF MAY 20 THROUGH MAY 26, 2002 AS
"EMERGENCY MEDICAL SERVICES WEEK" IN THE CITY OF GRAND JUNCTION

PROCLAMATION DECLARING THE WEEK OF MAY 12 THROUGH MAY 18, 2002 AS
"CHRONIC FATIGUE AND IMMUNE DYSFUNCTION SYNDROME/MYALGIC
ENCEPALOPATHY AWARENESS WEEK" IN THE CITY OF GRAND JUNCTION

PROCLAMATION DECLARING THE WEEK OF MAY 20 THROUGH MAY 27, 2002 AS
"BUCKLE UP AMERICA WEEK" IN THE CITY OF GRAND JUNCTION

PRESENTATION OF CERTIFICATES OF APPOINTMENT

TO PLANNING COMMISSION MEMBER

TO FORESTRY BOARD MEMBERS

TO DOWNTOWN DEVELOPMENT AUTHORITY DIRECTOR

TO DDA REPRESENTATIVE TO THE HISTORIC PRESERVATION BOARD

SCHEDULED CITIZEN COMMENTS

*** * * CONSENT CALENDAR * * ***

This agenda is intended as a guideline for the City Council. Items on the agenda are subject to change as is the order of the agenda.

*** *Indicates New Item*

* *Requires Roll Call Vote*

1. **Minutes of Previous Meetings** [Attach 1](#)

Action: Approve the Summary of the April 29, 2002 Workshop and the Minutes of the May 1, 2002 Regular Meeting

2. **Contract for Independent Avenue Improvements Phase II – Streets** [Attach 2](#)

Bids were received and opened on April 23, 2002. M. A. Concrete Construction submitted the low bid in the amount of \$876,212.17.

The following bids were received for this project:

<u>Contractor</u>	<u>From</u>	<u>Bid Amount</u>
M. A. Concrete Construction, Inc.	Grand Junction	\$876,212.17
Elam Construction	Grand Junction	\$988,764.92
<u>United Companies</u>	<u>Grand Junction</u>	<u>\$1,020,180.40</u>
Engineer's Estimate		\$1,082,933.90

Action: Authorize the City Manager to Execute a Construction Contract for the Independent Avenue Street Improvements - Phase II with M.A. Concrete Construction in the Amount of \$876,212.17

Staff presentation: Tim Moore, Public Works Manager

3. **Contract for Bunting Avenue Storm Drain Asphalt and Concrete Replacement** [Attach 3](#)

The Bunting Ave. Storm Drain Asphalt and Concrete Replacement will replace substandard curb, gutter and sidewalk along Bunting Ave. from 21st to 18th Street after the new storm drain is replaced. Bids were opened on April 26, 2002 as follows:

<u>Contractor</u>	<u>From</u>	<u>Bid Amount</u>
Reyes Construction	Grand Junction	\$66,299.28
BPS Concrete	Grand Junction	\$59,725.15
G and G Paving	Grand Junction	\$54,934.88
<u>Vista Paving Corporation</u>	<u>Grand Junction</u>	<u>\$52,755.68</u>
Engineer's Estimate		\$50,369.71

Action: Authorize the City Manager to Execute a Construction Contract for the Bunting Avenue Concrete and Asphalt Replacement with Vista Paving Corporation in the Amount of \$52,755.68

Staff presentation: Tim Moore, Public Works Manager

4. **Setting a Hearing on Zoning Beagley Annexation Located at 3049 Walnut Avenue** [File #ANX-2002-084] [Attach 4](#)

The Beagley Annexation is a single parcel of land consisting of 5.92 acres located at 3049 Walnut Avenue and including a portion of the F Road, Grand Valley Drive and Walnut Avenue rights-of-way. The petitioner is requesting a zone of Residential Single Family, 4 units per acre (RSF-4), which conforms to the Future Land Use Map of the Growth Plan. Planning Commission recommended approval at its May 14, 2002 meeting.

Proposed Ordinance Zoning the Beagley Annexation to Residential Single Family with a Density Not to Exceed Four Units per Acre (RSF-4) Located at 3049 Walnut Avenue

Action: Adopt Proposed Ordinance on First Reading and Set a Hearing for June 5, 2002

Staff presentation: Ronnie Edwards, Associate Planner

5. **Rename Rio Grande Drive to Camino del Rey Drive in the Mantey Heights Subdivision** [File #MSC-2002-083] [Attach 5](#)

Resolution to rename a section of Rio Grande Drive to Camino del Rey Drive beginning at the undeveloped portion of the street 470' south of F Road and continuing to where the street intersects Santa Fe Drive.

Resolution No. 45-02 – A Resolution Renaming a Section of Rio Grande Drive to Camino Del Rey Drive Beginning 470 Feet South of Patterson Road and Ending at Sante Fe Drive Located in Mantey Heights Subdivision

**Action: Adopt Resolution No. 45-02*

Staff presentation: Ronnie Edwards, Associate Planner

6. **Setting a Hearing on Rezoning of Appleton Corners Property Located at 797 24 Road** [File #RZ-2002-051] [Attach 6](#)

First reading of the Rezoning Ordinance to rezone 1.85 acres from Residential Single Family Rural (RSF-R) to Neighborhood Business (B-1). The applicant has no current plan to develop the property but would like to rezone the property in order to market it for future development.

Proposed Ordinance Rezoning the Appleton Corners Property Located at 797 24 Road from Residential Single Family Rural (RSF-R) to Neighborhood Business (B-1)

Action: Adopt Proposed Ordinance on First Reading and Set a Hearing for June 26, 2002

Staff presentation: Lisa Gerstenberger, Senior Planner

7. **Setting a Hearing on Rezoning of the Lewis Property Located at 2258 South Broadway** [File #GPA-2001-178] [Attach 7](#)

First reading of the Rezoning Ordinance to rezone 1.83 acres from Residential Single Family 4 (RSF-4), 2-4 units per acre and Community Services and Recreation (CSR), to Neighborhood Business (B-1) and Community Services and Recreation (CSR). The applicant wants to develop the property as a car wash.

Proposed Ordinance Rezoning the Lewis Property Located at 2258 South Broadway from Residential Single Family 4 (RSF-4) and Community Services and Recreation (CSR), to Neighborhood Business (B-1) and Community Services and Recreation (CSR)

Action: Adopt Proposed Ordinance on First Reading and Set a Hearing for June 26, 2002

Staff presentation: Lisa Gerstenberger, Senior Planner

8. **Setting a Hearing on Amending the Zoning and Development Code Regarding the Development Review Process** [File #TAC-2002-112] [Attach 8](#)

The proposed amendments remove the development review process timelines from the Zoning and Development Code and make changes to which development applications require General Meetings.

Proposed Ordinance Amending the Zoning and Development Code Development Review Process

Action: Adopt Proposed Ordinance on First Reading and Set a Hearing for June 5, 2002

Staff presentation: Bob Blanchard, Community Development Director

***** END OF CONSENT CALENDAR *****

***** ITEMS NEEDING INDIVIDUAL CONSIDERATION *****

9. **Public Hearing - CDBG 2002 Action Plan, Part of the 5-year Consolidated Plan** [Attach 9](#)

City Council will consider which activities and programs to fund and will prioritize and recommend levels of funding for CDBG projects for the 2002 Program Year.

Action: Consider the CDBG City Council Subcommittee Recommendations for Funding Seven Projects for the City's 2002 CDBG Program Year Action Plan and Set a Final Hearing for June 5, 2002

Staff presentation: David Varley, Assistant City Manager

10. **Public Hearing – Larson Annexation Located at 2919/2921 B ½ Road** [Attach 10](#)
[File #ANX-2002-054]

The annexation consists of annexing 13.562 acres of land including portions of the 29 Road, B Road and B 1/2 Road rights-of-way. The property owners have requested annexation in conjunction with a preliminary plan application.

a. Accepting Petition

Resolution No. 46-02 – A Resolution Accepting Petitions for Annexation, Making Certain Findings, Determining that Property Known as Larson Annexation, a Serial Annexation Comprising of Larson Annexations No. 1, 2 and 3, Located at 2919/2921 B ½ Road and Containing Portions of the 29 Road, B Road and B ½ Road Rights-of-way, is Eligible for Annexation

**Action: Adopt Resolution No. 46-02*

b. Annexation Ordinances

Ordinance No. 3395 - An Ordinance Annexing Territory to the City of Grand Junction, Colorado Larson Annexation No. 1, Approximately 0.015 Acres, Located in the B Road and 29 Road Rights-of-Way

Ordinance No. 3424 - An Ordinance Annexing Territory to the City of Grand Junction, Colorado Larson Annexation No. 2, Approximately 1.921 Acres, A Portion of the 29 Road Right-of-way

Ordinance No. 3425 - An Ordinance Annexing Territory to the City of Grand Junction, Colorado Larson Annexation No. 3, Approximately 11.626 Acres, Located at 2919 B ½ Road and Including a Portion of the B ½ Road Right-of-way

**Action: Adopt Ordinances No. 3395, No. 3424 and No. 3425 on Second Reading*

Staff presentation: Pat Cecil, Development Services Supervisor

11. **Public Hearing - Zoning the Larson Annexation Located at 2919/2921 B ½ Road** [File #ANX-2002-054] [Attach 11](#)

The Larson Annexation consists of three parcels of land totaling 7.8 acres. The petitioner is requesting a zone of RSF-4, which conforms to the Growth Plan and adjacent County zoned lands. The Planning Commission recommended approval of the zoning at it's April 23, 2002 meeting.

Ordinance No. 3426 - An Ordinance Zoning the Larson Annexation to the Residential Single Family – 4 dwelling Units per Acre (RSF-4) District Located at 2919 B ½ Road

**Action: Adopt Ordinance No. 3426 on Second Reading*

Staff presentation: Pat Cecil, Development Services Supervisor

12. **Public Hearing - Zambrano Annexation Located at 657 20 ½ Road** [File #ANX-2002-053] [Attach 12](#)

Resolution for Acceptance of Petition to Annex/Second reading of the annexation ordinance for the Zambrano Annexation located at the 657 20 ½ Road . The 11.282-acre Zambrano Annexation consists of one parcel of land.

a. Accepting Petition

Resolution No. 47-02 – A Resolution Accepting Petitions for Annexation, Making Certain Findings, Determining that Property Known as Zambrano Annexation is Eligible for Annexation Located at 657 20 ½ Road

**Action: Adopt Resolution No. 47-02*

b. Annexation Ordinance

Ordinance No. 3427 - An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Zambrano Annexation Approximately 11.282-acres, Located at 657 20 ½ Road

**Action: Adopt Ordinance No. 3427 on Second Reading*

Staff presentation: Bill Nebeker, Senior Planner

13. Public Hearing – Zoning Zambrano Annexation Located at 657 20 ½ Road

[File #ANX-2002-053]

[Attach 13](#)

The applicant requests to zone the Zambrano Annexation located at 657 20 ½ Road to Residential Single Family - Four Dwellings Per Acre (RSF-4). At it's hearing of April 23, 2002 the Planning Commission recommended approval of this request.

Ordinance No. 3428 - An Ordinance Zoning the Zambrano Annexation Residential Single Family – Four (RSF-4) Located at 657 20 ½ Road

**Action: Adopt Ordinance No. 3428 on Second Reading*

Staff presentation: Bill Nebeker, Senior Planner

14. Public Hearing - ISRE Annexation Located at 2990 D ½ Road

[File #ANX-2002-049]

[Attach 14](#)

The ISRE Annexation area consists of a 14.149-acre parcel of land located at 2990 D-1/2 Road. The property owner has requested annexation into the City as the result of proposing a Growth Plan Amendment for the property to be considered by City Council at a later date. Under the Persigo Agreement all such types of development require annexation and processing in the City.

a. Accepting Petition

Resolution No. 48-02 – A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property Known ISRE Annexation Located at 2990 D ½ Road is Eligible for Annexation

*Action: *Adopt Resolution No. 48-02*

b. Annexation Ordinance

Ordinance No. 3429 - An Ordinance Annexing Territory to the City of Grand Junction, Colorado, ISRE Annexation Approximately 14.149-acres, Located at 2990 D ½ Road

*Action: *Adopt Ordinance No. 3429 on Second Reading*

Staff presentation: Kristen Ashbeck, Senior Planner

15. Public Hearing – Zoning ISRE Annexation Located at 2990 D ½ Road

[File #ANX-2002-049]

[Attach 15](#)

The ISRE Annexation is a single parcel of land consisting of 14.149 acres located at 2990 D-1/2 Road. The petitioner is requesting a zone of Residential Single Family, 4 units per acre (RSF-4), which conforms to the Future Land Use Map of the Growth Plan. Planning Commission recommended approval at its April 23, 2002 meeting.

Ordinance No. 3430 - An Ordinance Zoning the ISRE Annexation to Residential Single Family with a Maximum Density of 4 units per acre (RSF-4) Located at 2990 D-1/2 Road

*Action: *Adopt Ordinance No. 3430 on Second Reading*

Staff presentation: Kristen Ashbeck, Senior Planner

16. Public Hearing - Amending the Parking Ordinance

[Attach 16](#)

This Ordinance prohibits parking in the “planting strip” which is defined as that area between the back of curb of any street and the edge of the sidewalk closest to the street or if there is no curb then from edge of asphalt of any street and the edge of the sidewalk.

Ordinance No. 3431 - An Ordinance Amending Chapters 36 and 40 of the City of Grand Junction, Colorado Code of Ordinances Related to Parking

**Action: Adopt Ordinance No. 3431 on Second Reading*

Staff presentation: Stephanie Rubinstein, Staff City Attorney

17. **NON-SCHEDULED CITIZENS & VISITORS**

18. **OTHER BUSINESS**

19. **EXECUTIVE SESSION** – Update and Discussion on Persigo Agreement

For the Purpose of Determining Positions Relative to Matters that may be Subject to Negotiations, Developing Strategy for Negotiations, and/or Instructing Negotiators, Relative to Amending Existing Contracts Under C.R.S. Section 24-6-402 (4)(e)

20. **ADJOURNMENT**

Attach 1
Minutes of Previous Meetings

GRAND JUNCTION
CITY COUNCIL WORKSHOP

April 29, 2002

The City Council of the City of Grand Junction, Colorado, met on Monday, April 29, 2002 at 7:09 p.m. in the City Auditorium to discuss workshop items. Those present were Harry Butler, Dennis Kirtland, Bill McCurry, Jim Spehar, Janet Terry, Reford Theobald and President of the Council Cindy Enos-Martinez.

Summaries and action on the following topics:

1. **BRIEFING ON PDR PROJECT:** Tom Latousek, Land Protection Specialist with the Mesa Land Trust, along with Keith Fife of Mesa County Planning, updated the City Council on the purchase of development rights project. Buffer zones were created by the four entities (Mesa County, City of Grand Junction, City of Fruita and Town of Palisade) where only very low density and agriculture is allowed. Funds are committed for matching of GOCO monies to purchase conservation easements (development rights in perpetuity). Mr. Latousek summarized the sense of urgency due to the increase in land values and the rapid development taking place.

Action Summary: Councilmember Spehar urged the development of a market for transferable development rights. He questioned the likelihood of the governmental entities in the valley contributing enough funds to acquire all the development rights in the buffer zones. Keith Fife said the Committee is working with the Smart Growth Committee on that issue. Councilmember Theobald said he had heard of Fruita trying to develop “receptor” areas. There may be areas in Grand Junction that would be appropriate “receptors”.

2. **HISTORIC PRESERVATION BOARD:** This Board will discuss their proposed bylaws and the Williams House Historic Structure Assessment. Kristin Ashbeck, Community Development, reviewed the information submitted, which describes the HPB activities. HPB worked on by-laws, the Board has passed them but has concerns on the term limitations. Mr. William Jones of the Historic Preservation Board expressed that term limits sometime preclude a very qualified individual from continued service on the Board when he or she could be a real asset to the Board. Councilmember Spehar expressed that City Council consciously made that decision to limit terms in order to ensure community interest in volunteer boards continues. Extending the length of the terms is a

possibility. With a letter from the Board, Council could consider making that change in the Code.

Regarding historic assessment on the Williams House, a grant was applied for and received. The assessment says the house is salvageable. It could be moved a small distance. Repairing it was also looked at. Mr. William Jones, chair of HPB, stated that stabilizing the outside would be the only possibility for present.

Action Summary: Councilmember Terry urged that security measures be continued and upgraded. At Ms. Ashbeck's suggestion, the architectural features should be removed and stored until the building is secured. Councilmember Butler suggested "No Trespassing" signs be installed. Councilmember Kirtland questioned the use of resources for this project. Councilmember Spehar did not object to stabilization as long as that does not result in an unrealistic expectation that the building is inviolate.

Council directed that security be put back into place and Staff was authorized to work on a grant application with the Historic Preservation Board, keeping in mind there may be TABOR implications.

3. **COUNCIL ASSIGNMENTS:** Council discussed their assignments to various boards and committees.

Action Summary: Council updated the list of assignments and determined who will serve on what. Staff was directed to put the resolution on Wednesday's agenda.

**GRAND JUNCTION CITY COUNCIL
MINUTES OF THE REGULAR MEETING**

May 1, 2002

The City Council of the City of Grand Junction convened into regular session on the 1st day of May 2002, at 7:30 p.m. in the City Auditorium. Those present were Councilmembers Bill McCurry, Reford Theobald, Harry Butler, Janet Terry, Dennis Kirtland, Jim Spehar and President of the Council Cindy Enos-Martinez.

President of the Council Cindy Enos-Martinez called the meeting to order. Councilmember Butler led in the pledge of allegiance. The audience remained standing for the invocation by Reverend Jim Hale, Spirit of Life Christian Fellowship.

PROCLAMATIONS / RECOGNITIONS

PROCLAMATION DECLARING MAY 2, 2002 AS "NATIONAL DAY OF PRAYER" IN THE CITY OF GRAND JUNCTION

PROCLAMATION DECLARING THE WEEK OF MAY 4, 2002 AS "NATIONAL TOURISM WEEK" IN THE CITY OF GRAND JUNCTION

PROCLAMATION DECLARING MAY 4, 2002 AS "AMERICAN ASSOCIATION OF UNIVERSITY WOMEN DAY" IN THE CITY OF GRAND JUNCTION

PROCLAMATION DECLARING MAY 12, 2002 AS "GRAND JUNCTION LETTER CARRIERS STOCK THE COMMUNITY FOOD BANKS DAY" IN THE CITY OF GRAND JUNCTION

PROCLAMATION DECLARING APRIL 28 THROUGH MAY 4, 2002 AS "MUNICIPAL CLERKS WEEK" IN THE CITY OF GRAND JUNCTION

PROCLAMATION DECLARING MAY 6 THROUGH MAY 10, 2002 AS "SPECIAL OLYMPICS MESA COUNTY VALLEY SCHOOL DISTRICT 51 CAN'T HIDE THE PRIDE DAY" IN THE CITY OF GRAND JUNCTION

APPOINTMENTS

APPOINTMENTS TO THE FORESTRY BOARD

Councilmember Kirtland moved to reappoint Mitch Elliot and Vince Urbina and appointed Mike Heinz to the Grand Junction Forestry Board for a three-year term. Councilmember Spehar seconded. Motion carried.

APPOINTMENT TO THE DOWNTOWN DEVELOPMENT AUTHORITY

Councilmember Butler moved to appoint Harry Griff to the Downtown Development Authority for an unexpired term ending June 2004. Councilmember Spehar seconded. Motion carried.

APPOINTMENT OF DDA REPRESENTATIVE TO HISTORIC PRESERVATION BOARD

Councilmember Theobald moved to appoint Doug Simons as DDA's representative to the Historic Preservation Board. Councilmember McCurry seconded. Motion carried.

PRESENTATION OF CERTIFICATE OF APPOINTMENT

TO PLANNING COMMISSION MEMBER

The Planning Commissioner was not present.

ELECTION OF MAYOR AND MAYOR PRO TEM / ADMINISTER OATHS OF OFFICE

City Clerk Stephanie Tuin took nominations for the position of Mayor/President of the Council. Cindy Enos-Martinez and Reford Theobald were nominated. Cindy Enos-Martinez was re-elected.

City Clerk Stephanie Tuin took nominations for the position of Mayor Pro Tem/President of the Council Pro Tem. Harry Butler, Dennis Kirtland and Jim Spehar were nominated. Dennis Kirtland was elected as Mayor Pro Tem/President Pro Tem.

Following the elections City Clerk Stephanie Tuin administered oaths of office to Mayor Cindy Enos-Martinez and to Mayor Pro Tem Dennis Kirtland.

SCHEDULED CITIZEN COMMENTS

There were none.

CONSENT CALENDAR

It was moved by Councilmember Spehar, seconded by Councilmember McCurry, and carried by a roll call vote, to approve the Consent Calendar Items 1 through 15.

1. Minutes of Previous Meetings

Action: Approve the Summary of the April 15, 2002 Workshop and the Minutes of the April 17, 2002 Regular Meeting

2. **Grant and Supplemental Co-Sponsorship Agreement Associated with Airport Improvement Program (AIP) in the Amount of \$277,949 for Upgraded Security Requirements**

Approval of FAA Grant Agreement and associated Supplemental Co-Sponsorship Agreement for Airport Improvement Program (AIP) Project No. 3-08-0027-25 to reimburse Walker Field, Colorado, Public Airport Authority for security costs incurred since September 11, 2001 and projected to be incurred through September 30, 2002.

Action: Approve the Grant Agreement and Supplemental Co-Sponsorship Agreement for AIP-25 with the Federal Aviation Administration

3. **Funding Mechanism for FY 2003, 2004 and 2005 Grand Valley Transit System**

In Fall, 2001, the Grand Junction City Council, Fruita City Council, Palisade Town Board, and Mesa County Commissioners agreed to a formula for funding GVT for 2002. In addition, there was an informal agreement to fund GVT for fiscal years 2003 through 2005. The resolution formalizes the agreement.

Action: Adopt Resolution No. 37-02

4. **2002 Alley Improvement District Contract**

Bids were received and opened on April 18, 2002 for the 2002 Alley Improvement District. Reyes Construction, Inc. submitted the low bid in the amount of \$529,493.25

The following bids were received for this project:

<u>Contractor</u>	<u>From</u>	<u>Bid Amount</u>
Reyes Construction, Inc.	Grand Junction	\$529,493.25
Mays Concrete, Inc.	Grand Junction	\$567,121.00
Engineer's Estimate		\$644,422.50

Action: Authorize the City Manager to Execute a Construction Contract for the Alley Improvement District with Reyes Construction, Inc. in the Amount of \$529,493.25

5. **Concrete Repair for Street Overlays Contract**

Bids were received and opened on April 23, 2002 for Concrete Repair for Street Overlays. G&G Paving Construction, Inc. submitted the low bid in the amount of \$207,261.00.

The following bids were received for this project:

<u>Contractor</u>	<u>From</u>	<u>Bid Amount</u>
G&G Paving Construction, Inc	Grand Junction	\$207,261.00
Vista Paving Corporation, Inc	Grand Junction	\$239,163.00
B.P.S. Concrete, Inc	Grand Junction	\$320,172.48
Engineer's Estimate		\$219,095.68

Action: Authorize the City Manager to Execute a Construction Contract for the Concrete Repairs for Street Overlays with G&G Paving Construction, Inc. in the Amount of \$207,261.00

6. **Lease Extension with Mesa National Bank For Polygraph Testing Facility**

The Police Department has conducted polygraph-testing procedures at Mesa National Bank since 1996. The Police Department has found that the secluded office space located on the third floor at Mesa National Bank functions very well as a polygraph testing facility. Because the City does not own space in a facility that would accommodate this function, the Police Department would like to continue using this space as long as it remains available.

Rent for the proposed one-year extension will be \$1,452.00. Mesa National Bank will pay for all utilities except telephone.

Resolution No. 38-02 - A Resolution Extending the Lease of Office Space at 131 North 6th Street for Use as a Polygraph Testing Facility

Action: Adopt Resolution No. 38-02

7. **Exchange of Property near Whitewater for Property around Kannah Creek Flowline**

Dyer LLC has been phasing the development of Desert Vista Estates near Whitewater Creek. The Kannah Creek Flowline crosses the third and final phase of this development (the flowline exists without the benefit of a documented easement). Additionally, the City owns a vacant 40-acre parcel adjacent to the west of Desert Vista Estates that was included in the Somerville Ranch purchase. The proposed exchange will grant the City title and improved access rights to a remote parcel, which is encumbered by the Kannah Creek Flowline.

Resolution No. 39-02 - A Resolution Authorizing the Exchange of Real Estate with Dyer, LLC.

Action: Adopt Resolution No. 39-02

8. **FY 2003-2008 Transportation Improvement Plan (TIP) Update**

The FY 2003-2008 TIP Update is required to reflect the federally funded transportation-related projects within the Federal Aid Urban Boundary for the indicated period. All projects shown in the TIP are consistent with the statewide plan.

Resolution No. 40-02 - A Joint Resolution of the County of Mesa and the City of Grand Junction Concerning Adoption of Fiscal Years 2003-2008 Transportation Improvement Program

Action: Adopt Resolution No. 40-02

9. **Setting a Hearing on Zoning the Larson Annexation Located at 2919 B ½ Road** [File #ANX-2002-054]

First reading of the zoning ordinance to zone the Larson Annexation to the RSF-4 zone district. The site is located at 2919 B ½ Road. This rezone affects 7.8 acres and is comprised of three parcels.

Proposed Ordinance Zoning the Larson Annexation to the Residential Single Family – 4 dwelling Units Per Acre (RSF-4) District Located at 2919 B ½ Road

Action: Adopt Proposed Ordinance on First Reading and Set a Hearing for May 15, 2002

10. **Vacation of Easement for Rimrock Marketplace Located at 2526 River Road** [File #VE-2002-025]

The petitioner is requesting the vacation of a 20-foot utility easement located on the Rimrock Marketplace project. A new utility easement will be created in a new location with the filing of the plat for the project.

Resolution No. 41-02 - A Resolution Vacating a 20-Foot Wide Utility Easement in the Rimrock Marketplace Subdivision Development

Action: Adopt Resolution No. 41-02

11. **Setting a Hearing on the Beagley Annexation No. 1, No. 2 and No. 3, Located at 3049 Walnut Avenue** [File #ANX-2002-084]

Resolution for Referral of Petition to Annex/First Reading of the Annexation Ordinance/Exercising Land Use Jurisdiction Immediately for the Beagley Annexation located at 3049 Walnut Avenue and Including a Portion of the F Road, Grand Valley Drive and Walnut Avenue Rights-of-Way. The 5.92-acre Beagley property consists of one parcel of land.

a. Referral of Petition, Setting a Hearing and Exercising Land Use Control and Jurisdiction

Resolution No. 42-02 – A Resolution Referring a Petition to the City Council for the Annexation of Lands to the City of Grand Junction, Colorado, Setting a Hearing on Such Annexation, and Exercising Land Use Control, the Beagley Annexation Located at 3049 Walnut Avenue and Including a Portion of F Road, Grand Valley Drive and Walnut Avenue Rights-of-Way

b. Set a Hearing on Proposed Ordinances

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Beagley Annexation No. 1, Approximately 0.153 Acre, a Portion of F Road Right-of-Way

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Beagley Annexation No. 2, Approximately 1.028 Acres, a Portion of F Road and Grand Valley Drive Rights-of-Way

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Beagley Annexation No. 3, Approximately 4.739 Acres, Located at 3049 Walnut Avenue and Including a Portion of Grand Valley Drive and Walnut Avenue Rights-of-Way

Action: Adopt Resolution No. 42-02 and Proposed Ordinances on First Reading, Setting a Hearing for June 5, 2002

12. **Setting a Hearing on Zoning the Zambrano Annexation Located at 657 20 ½ Road** [File #ANX-2002-053]

The applicant requests to zone the Zambrano Annexation located at 657 20 ½ Road to Residential Single Family – Four Dwellings Per Acre (RSF-4). At its hearing of April 23, 2002, the Planning Commission recommended approval of this request.

Proposed Ordinance Zoning the Zambrano Annexation Residential Single Family – Four (RSF-4), Located at 657 20 ½ Road

Action: Adopt Proposed Ordinance on First Reading and Set a Hearing for May 15, 2002

13. **Setting a Hearing on Zoning the ISRE Annexation Located at 2990 D ½ Road** [File #ANX-2002-049]

The annexation area consists of a 14.149-acre parcel of land located at 2990 D ½ Road. The property owner has requested annexation into the City as the result of proposing a Growth Plan Amendment for the property to be considered by City Council at a later date. Under the Persigo Agreement all such types of development require annexation and processing in the City.

Proposed Ordinance Zoning the ISRE Annexation to Residential Single Family with a Maximum Density of 4 Units Per Acre (RSF-4) Located at 2990 D ½ Road

Action: Adopt Proposed Ordinance on First Reading and Set a Hearing for May 15, 2002

14. **Setting a Hearing on Amending the Parking Ordinance**

By this Ordinance the City Council prohibits parking in the “planting strip” which is defined as that area between the back of curb of any street and the edge of the sidewalk closest to the street or if there is no curb then from edge of asphalt of any street and the edge of the sidewalk.

Proposed Ordinance Amending Chapters 36 and 40 of the City of Grand Junction, Colorado Code of Ordinances Related to Parking

Action: Adopt Proposed Ordinance on First Reading and Set a Hearing for May 15, 2002

15. **Council Assignments for 2002 - 2003**

Resolution No. 44–02 – A Resolution Appointing and Assigning City Councilmembers to Represent the City on Various Boards and Organizations

Action: Adopt Resolution No. 44–02

***** ITEMS NEEDING INDIVIDUAL CONSIDERATION *****

Public Hearing – Rezone Valley Meadows North Located at the North End of Kapota Street [File #RZP-2002-019]

Second reading of the Rezoning Ordinance to rezone the Valley Meadows North property located at the north end of Kapota Street from Residential Single Family Rural (RSF-R) to Residential Single Family-4 (RSF-4)

Mayor Enos-Martinez recused herself as she has a contract with this developer.

Mayor Pro Tem Kirtland presided.

The public hearing was opened at 8:00 p.m.

Councilmember Terry requested that the department heads explain the process for this hearing.

Bob Blanchard, Community Development Director, explained that this hearing is on the rezone only and that in two weeks Council will hear an appeal of the Preliminary Plan, on the record only.

Councilmember Theobald asked if the drainage issue falls under the rezone or the Preliminary Plan.

Mark Relph, Public Works and Utilities Director said if this ordinance and the Preliminary Plan were approved, then the engineering details would be part of the Final Plan. He said that drainage did come up at the Preliminary Plan and so the Council would see that issue in the record.

Councilmember Theobald wanted to know what Council could change at the Final Plan stage.

Bob Blanchard, Community Development Director, said if the Final Plan is in substantial compliance with the Preliminary Plan then it's approved. Mark Relph, Public Works and Utilities Director, clarified that the Final Plan is an administrative process only. Residents could still appeal the approval to the Planning Commission.

Councilmember Theobald wanted to know that if drainage were not discussed at the Preliminary Plan, then what would the latitude be at the Final Plan.

Mark Relph, Public Works and Utilities Director, replied that there are enough drainage issues on the record that they would need to be addressed.

Lisa Gerstenberger, Senior Planner, reviewed this item. She pointed out the location of and the access to the property and identified the Future Land Use designation as Residential Medium-Low (2-4 du/ac). She said that the parcel is currently zoned RSF-R (Residential Single Family Rural). She also listed the surrounding zone districts. She reviewed and stated the results of the rezoning criteria noted in Section 2.6.A. of the Zoning and Development Code as Criteria:

#1. The existing zoning was in error at the time of adoption. – yes, the existing zoning does not meet the growth plan designation;

#2. There has been a change of character in the neighborhood due to installation of public facilities, other zone changes, new growth trends, deterioration, development transitions, etc. – yes;

#3. The proposed rezone is compatible with the neighborhood and will not create adverse impacts such as: capacity or safety of the street network, parking problems, storm water or drainage problems, water, air or noise pollution, excessive nighttime lighting, or other nuisances – yes;

#4. The proposal conforms with and furthers the goals and policies of the Growth Plan, other adopted plans, and the policies, the requirements of the Code and other City Regulations and Guidelines – some of the goals are met;

#5. Adequate public facilities and services are available or will be made available concurrent with the projected impacts of the proposed development. – yes;

#6. There is not an adequate supply of land available in the neighborhood and surrounding area to accommodate the zoning and community needs – yes; and

#7. The community or neighborhood will benefit from the proposed zone – yes.

Even though the Preliminary Plan was not being considered at this meeting, Ms. Gerstenberger reviewed the plan briefly to give the Council an idea of the density of the proposed development, i.e. as a visual aid only.

Ms. Gerstenberger said that Staff and the Planning Commission recommend approval of the rezoning request.

Councilmember Spehar questioned that in criteria #3, it states no adverse storm water and drainage problems would be created. Ms. Gerstenberger referred to Mr. Relph's comments that it would be addressed at Final Plan.

Mr. Relph said that the issues have been discussed and that they would be addressed in the Final Plan, and as far as the zoning is concerned, the drainage problem would be possible to solve. Councilmember Spehar thought that Council was told previously that drainage was not an issue, but actually according to the criteria, it does have to do with the rezone.

Bob Blanchard, Community Development Director, pointed out that at the rezoning request, the emphasis was on the proposed use, the physical site, the density of the site plan and if the technical issues could be resolved.

Councilmember Terry said that the criterion of drainage in item #3 was more definitive than previously understood. She asked Mr. Wilson to clarify that when and if there is a motion, if Council could state that this issue is not satisfactorily resolved.

Dan Wilson, City Attorney replied there could be instances where drainage problems couldn't be overcome, but that the Staff would ask if the uses in this area are appropriate, and denying the rezoning request on that basis would go against the current code.

Councilmember Spehar said Council might be compelled to deny the rezone until Council was convinced that the drainage issue has been resolved.

Councilmember Theobald noted if drainage is a problem inherent to this use then it is a rezone issue; if it is a problem of the plan, then it will be addressed at Final Plan.

Councilmember Terry recommended Council should just state that a drainage problem was not solved now, but that it would be at the Final Plan.

Rich Krohn, 744 Horizon Court, representing the applicant and current owner Ed Lenhart of Just Companies, Inc., who was also present, said that he didn't want to talk about drainage but could, and that their engineer was there and that he believes the issue was general and the land was not incompatible. He said that the drainage would require engineering, which was a different part of the process. The request to rezone was compatible with the Growth Plan and the Preliminary Plan density was 3.4 units per acre. He stated the zoning for adjoining properties is RSF-2; Moonrise East as RSF-4 and the 11 acres east are undeveloped and zoned RSF-R (holding zone). Valley Meadows East Subdivision was zoned as a Planned Unit Development (PUD) with 2.93 units per acre, and the lot sizes are very comparable to the current proposal. He has reviewed the rezone criteria, and as a single access, Kapota Street, a local residential street with full build-out, would be at less than 70% capacity. There was a possible second access to an adjacent-yet-undeveloped property. The only policy not being met was meeting the desires of the neighborhood due to the single access.

Mayor Pro Tem Kirtland asked for public comments.

Helen Dunn, who lives at 2557 McCook Avenue, representing the Valley Meadows East Homeowners Association Committee, read the attached statement into the record (Exhibit "A").

Councilmember Theobald asked Ms. Dunn if she was representing the neighborhood.

Ms. Dunn answered that she was part of the Valley Meadows East Homeowners Association Committee.

Councilmember Terry asked her for a comparison of the lot sizes.

Ms. Dunn replied that because her subdivision was a PUD and had open space it gave one a feeling of openness.

Patricia Cleary, who resides at 662 Kapota Street, said that the biggest concern she had was that the homeowners cannot discuss drainage at this time, which seemed to be the largest issue, but the developer's lawyer has discussed various other issues. She wanted to know why was Council considering those issues but not the biggest issue, drainage.

Councilmember Terry replied that was what Staff tried to explain at the beginning of the public hearing.

Ms. Cleary said that it was not clear enough, and she couldn't understand why access, safety and compatibility are all zoning issues but drainage is not. Councilmember Terry said drainage may be part of the discussion. Councilmember Spehar agreed.

Councilmember Theobold asked Ms. Cleary how she felt about the drainage if the zoning was 2.93 units per acre. Ms. Cleary told Mr. Theobold that she didn't have enough information to answer his question.

Ms. Cleary then objected to language used in the Planning Committee's minutes. She said there was an issue of privacy because two-story homes would be allowed, a concern about safety plus a comment, which was made by Mr. Krohn, who had said that the proposed density was 70% of the density capacity. She said the subdivision was not a subdivision that could handle the additional traffic since they didn't have perpendicular roads and would be hard for emergency access. She also wanted to clarify that a Fire Department representative had said there would be a problem in the case of an extreme emergency.

John Chapman, who lives at 667 Kapota Street, was also concerned about the drainage. He said the plan was contrary to basic drainage laws and the plan would have to let traffic go in and out, plus let water go out. The developer's plan would destroy Valley Meadows East's existing drainage plus the storm sewer system wouldn't be able to handle it. The engineers need to leave space for more detention ponds and pumps and more drainage structures before siting house lots. He said the drainage report was faulty because it didn't mention the berm, and never said that they were going to reach this berm. It just showed up on the drawings and they made such statements, as there are no changes to the historical drainage for this project, which is not true. The drainage path could be seen by the swath it had left and he said there was a need to start over. He said he would provide a final report to the City Clerk for Council distribution.

Councilmember Spehar explained that once these improvements were accepted they then become community property.

Carol Chapman Bergman, who lives at 628 Sage Court, said the proposal was not compatible with the intent of the Growth Plan, and was not in an infill area when surrounding property was less dense. She noted that one couldn't compare a PUD to a straight zone due to the lack of a green belt. She said there was a greater density with no benefit, and there were no water rights, as the owner hadn't paid the irrigation company. Excess water would be dumped onto 25 Road. The canal breach had shown how much damage can happen and that the property acts as a natural detention pond.

Barry Chamberlain, who lives at 2553 McCook Avenue, stated he had no issue with the developer, but wanted to know if the zoning request were approved, what would happen if the property changed hands and Mr. Lenhart were no longer the developer. He said he had asked Mr. Lenhart the same question and was told that this could be a possibility. He wanted to know from Council what would prevent a future owner from increasing the actual density to the full RSF-4. .

Bob Blanchard, Community Development Director responded the site could be developed to up to four units per acre, but the plan would have to go through the process again.

Barry Chamberlain asked if the developer meets the criteria, could he go forward without the neighbors' input making reference to legal loopholes. Councilmember Terry told him this was the reason the rezone request goes through City Council.

Councilmember Spehar said the reason those kinds of standards are set is to create an expectation, and he thought it was not appropriate to say they are meeting legal loopholes. Those standards were created from public input in the review process, and it wasn't fair of Mr. Chamberlain to make a negative characterization of a very positive effort, which benefits him and the development.

Barry Chamberlain wanted to know about even more development in the future on the adjacent Moran property.

Michael Lightfoot, who resides at 667 Chama Lane, and who is the president of the Valley Meadows East Homeowners Association, represented 44 homeowners. He said the plan was approved by the Planning Commission stating it met all the criteria, yet, drainage was an issue.

Jim Grisier, 690 25 ½ Road, supported the Homeowners Association of Valley Meadows East and agreed that their concerns are quite valid, and he encouraged denial of the rezone request. A rezone to RSF-2 (Residential Single Family-2) or planned zoning in the range of 3 would be more appropriate. He also appreciated the

impacts on Valley Meadows East Subdivision. He said that some Councilmembers probably recall the difficult discussions on Moonrise East and the discussions about the single access.

Mr. Grisier stated the Moran's were asked specifically if they realized the effect on future development of the property in question and they had made that choice. It had been discussed that the outlot C would be maintained for irrigation access and also for a connecting pedestrian trail. No discussion was ever held for this with Valley Meadows North. Mr. Grisier said he would dedicate land to connect that trail.

Councilmember Theobold wanted to know if there was any irrigation water available and if Mr. Grisier had any connections with the irrigation company or had knowledge of such availability. Mr. Grisier said he was a member of Grand Valley Irrigation Company Board and although the Company has no shares for sale, he sees shares of water for sale often in the paper.

Mayor Pro Tem Kirtland asked for no more public comments and said the questions are now for Staff.

Councilmember Terry wanted to know about the 12-inch pipe capacity.

Mark Relph, Public Works and Utilities Director, replied this was pointed out to the applicant and they have looked at other alternatives, like retention or detention, and they would have to verify capacity.

Councilmember Terry asked about the U.S. Geological Survey report. Mr. Relph replied he was not familiar with it.

Councilmember Theobold wanted to know about the berm at the end of Kapota Street and its importance to drainage and in controlling drainage and the importance of cutting through or going over the berm. Mr. Relph said going over was impractical. It was possible to capture water there and move it to a detention facility but the capacity was an issue for review.

Councilmember Theobold asked if drainage could be handled even when cutting the berm. Mark Relph, Public Works and Utilities Director, said it was possible, but it was a final design detail.

Councilmember Theobold asked Mr. Relph if he remembered any of the discussions about the access through Moonrise East Subdivision.

Mark Relph, Public Works and Utilities Director, said he remembered the Moran's did not cooperate with additional access, which reduced their ability for more access to their property.

Councilmember Theobold asked to compare if additional access had occurred through Moonrise or Kapota and if it was a factor in traffic and also drainage. Mr. Relph replied he didn't know about drainage. He is certain about traffic for emergency access, but as far as capacity, that was not an issue. The road was at national standards and was acceptable.

Councilmember Spehar wanted to know about drainage.

Mr. Relph replied that he didn't know any specifics, but he thinks that Valley Meadows East probably could not handle any additional water.

Councilmember Theobold said on the Preliminary Plan there was a Moran Drive, which stubbed and he asked where that link could be hooked up to for additional access.

Mark Relph, Public Works and Utilities Director, said this stub isn't shown on the City's major street plan and that he hasn't looked at it. There would be a need to look at the size of parcels noting it could be a challenge.

Councilmember Terry wanted to know more about the trail access issue and the US Geological Report from Ms. Gerstenberger.

Lisa Gerstenberger, Senior Planner, said the trail issue was not an issue on this project. The trail was part of the PUD, as a benefit for getting approval for a planned development, whereas the Valley Meadows North Subdivision was a straight zone and there are no pedestrian requirements, unless it was on the Master Trail Plan. If the owners would volunteer to include a trail, the City then would consider it. The Colorado Geological Survey showed soil conditions and drainage.

The development engineer did discuss these comments and they were addressed. The engineer was comfortable that they could be dealt with during the Final Plan.

Councilmember Spehar wanted to know from Ms. Gerstenberger if he was correct that two-story houses are not prohibited, but that they have to comply with the height standards. Ms. Gerstenberger said that Mr. Spehar was correct.

Councilmember Terry wanted to know more about the comments made by the Fire Department's representative. Ms. Gerstenberger replied that any comments were listed in the Staff Report and there were none.

Councilmember Kirtland asked if the petitioner would like to give a brief rebuttal.

Ed Lenhart of Just Companies, Inc. located at 2505 Foresight Circle, who is the developer of the property, said he was concerned with the canal breach and that the water had come right onto the Valley Meadows North property. He said the amount of water that flooded the area could only happen if the canal would break again. Since the

canal was not engineered for that large a capacity, his engineers have gone over the design for the drainage of the area and the design would actually help the Valley Meadows East neighborhood. He stated he doesn't fill legal loopholes and it never was his intention, he lives here. Furthermore, they had two neighborhood meetings, and afterwards they reduced the density to be more compatible. He said it would be more advantageous to spend money on irrigation, but didn't have the conveyance system to bring it to the property. He said he intended to develop this property as designed. In the Moran's situation, the developer of Moonrise had intended to put a road to Valley Meadows North, but the Moran's couldn't get with Mr. Seligman. He showed Council that he had four letters and one map, which are attached as Exhibit "B", from the Morans. He said Mr. Seligman was unwilling to meet with the Morans.

Brian Hart from LANDESIGN, located at 244 N. 7th St, said the average lot size was 9,600 square feet, one lot is 8,110, some are around 8,500 square feet in the middle, and several lots were in the 9,500 – 10,000 square foot range.

Ed Lenhart, applicant and owner of Just Companies, Inc. said he felt a need to address the drainage issue and asked Mr. Hart, the engineer, to address that issue with Council.

Brian Hart, from LANDESIGN, explained that access would require the berm to be cut down since there was a steep section of the road and drainage would drain onto the road. The rest of drainage would have to be retained on the property and channeled to an off-site location, which would drain through their site into a pipe on 25 Road. The report was only preliminary, and the overflow could be drained to 25 ½ Road, to a limit. There are combinations of methods to handle the drainage but no calculations have been done yet. If the capacity would be exceeded, they would have to install a storm sewer. He said he was required by law to provide a plan that met standards. The final concerns would be dealt with at the Final Plan. If flow rates for the canal break are correct, then the flow was 7 to 10 times above the expected flow.

The Colorado Geological Survey's comments said more details are needed before a recommendation for approval would be issued. Mr. Hart said when he had a conversation with them, they were comfortable with his response and felt that their issues could be resolved.

He said there was an unimproved outlot in the Valley Meadows East Subdivision but that it was quite narrow and could not be used for a trail. As far as for the Fire Departments comments, he didn't recall anyone from the Fire Department being there at the Planning Commission meeting; the one who commented was Rick Dorris, a development engineer with the Grand Junction Public Works & Utilities Department. He also said that they did have a neighborhood meeting proposing a plan for 30 lots, but after the meeting they reduced their plan to 26 lots based on neighborhood concerns.

Rich Krohn, the developer's attorney, asked Council to focus on the rezone criteria.

The public hearing was closed at 10:25 p.m.

Councilmember Theobald wanted to hear more comments on the access to the Moonrise East Subdivision.

Dan Wilson, City Attorney, reviewed what happened in 1996 on the access issue. The subdivision was flip-flopped to accommodate the detention pond and access, because the Moran's could not come to contract terms with Mr. Seligman.

Councilmember Theobald explained that a lack of open space is not a reason to oppose, nor is the lack of irrigation water, since it is available. He continued, saying that the drainage issue is for the plan phase and the drainage capacity is a plan issue. On the other hand, access is the primary issue and since access is limited to some degree by the property owners who were well aware of the situation, the rezone request did not meet rezone criteria # 3. Therefore he would support a lower density development and he would vote no on RSF-4.

Councilmember Terry also addressed the density issue. She said if Valley Meadows East were building on lot sizes 8,700 to 12,245 square feet, that those lots were of a similar range as those in the Valley Meadows North Subdivision. So even if there was a perception of higher density, there was very little difference and it was not a significant element. But she was concerned about the access issue, and she didn't see Moran Drive as possible, plus the drainage issue had not been addressed sufficiently.

Councilmember Spehar said that the street was designed for that capacity, so traffic wasn't an issue, but he would like to see a second access. Since emergency services did not see access as an issue, he didn't see access as a denial reason. He said that one couldn't design for catastrophic events like the canal breach and therefore didn't see a reason to deny the request since it was part of city limits and the density was appropriate for the area.

Councilmember Terry asked Mr. Wilson if access could be a reason for denial.

Dan Wilson, City Attorney, told her yes, it would be a legitimate basis.

Councilmember Butler said that he also has a problem with access and would vote no.

Mayor Pro Tem Kirtland said development in this area will occur but he believes the capacity is impacted and the density bothers him. He would like to see about three or less per acre.

Ordinance No. 3395 - An Ordinance Rezoning the Valley Meadows North Property Located at the North End of Kapota Street from Residential Single Family Rural (RSF-R) to Residential Single Family-4 (RSF-4)

Upon motion made by Councilmember Theobold, seconded by Councilmember McCurry, with Councilmember Spehar voting YES if drainage issues were resolved, Ordinance No. 3395 failed with a roll call vote of 5 to 1. Councilmembers McCurry, Theobold, Butler, Kirtland and Terry voted no.

A recess was called at 10:45 p.m.

The City Council was back in session at 10:52 p.m. Mayor Enos-Martinez returned to presiding the meeting.

Public Hearing - Downtown Sidewalk Permits

These changes to the ordinance will allow the issuance of sidewalk permits for those restaurants and cafes fronting on Main Street, between 1st and 7th streets. The 1981 ordinance has been updated, and the new provisions have been included.

The public hearing was opened at 10:52 p.m.

Councilmember Butler asked Council to consider an amended ordinance (Version 2), that does not allow serving of alcohol in the downtown park. He detailed the proposed changes.

Council President Enos-Martinez wanted to know the reason for eliminating all references of all alcoholic beverages from the ordinance.

Councilmember Butler replied that he was concerned that the street access would make it easy for younger people and transients to have access to liquor, and they may hand off a container to their friends.

Council President Enos-Martinez replied that it is the applicant's responsibility to control any misuse.

Councilmember Butler wanted Council to know that he has a problem when alcohol would be served on public property.

Councilmember Spehar suggested Council first listen to the presentation and then discuss or call for a motion.

City Attorney Dan Wilson and Downtown Development Authority (DDA) Chair and Interim Director Bruce presented this item. They explained that the existing ordinance regulating sidewalk uses and permits was granted in 1981; the first two feet of the right-of-way are currently used for clothing racks and benches; and the new ordinance would require an eight foot unobstructed path, as well as a safety zone from the traffic. The new ordinance would also allow the City Clerk to delegate the duty to issue permits

pursuant to an intergovernmental agreement or pursuant to an administrative regulation.

Bruce Hill, DDA Chair and Interim Director, further explained that a change is needed to allow various businesses an outside patio and to allow them to serve beer and wine only. He pointed out that serving alcohol on outdoor premises would be risky to the liquor licensees and that adopting the amended ordinance would not give the businesses the license to serve alcohol; only the liquor board can grant a license to serve liquor.

Paul Knashi, owner of Pablo's Pizza said he supports the original ordinance. He stated only a small percentage of his income is derived from alcohol sales, but some of the customers would like to have a beer with their food while eating outside. He said it would also help to keep downtown unique.

Ron Hall, from il Bistro Italiano, said that the new ordinance would help to enhance the downtown experience.

Dan Wilson, City Attorney clarified that the ordinance as written also includes hard liquor.

The public hearing was closed at 11:10 p.m.

Councilmember Spehar asked if the outside serving area would require a surrounding structure.

Dan Wilson, City Attorney said it would have to be deferred to the State. City Clerk Stephanie Tuin clarified that the State does not require a structure, but does require control and containment of the area.

Council President Enos-Martinez pointed out that the new ordinance wouldn't guarantee that the applying business would obtain a modification of premises to their liquor license.

Councilmember Spehar said he didn't like the idea of a serpentine pedestrian walkway.

Bruce Hill, DDA Interim Director, replied there would only be a slight jog in the walkway to accommodate a patio.

Greg Morrison, Chief of Police, said there would not be a day-to-day problem, but during special events, some barriers might be an issue.

Dan Wilson, City Attorney, replied that sidewalk permits with alcohol would have to be prohibited during special events.

Councilmember Butler voiced his concerns that transients would be encouraged to seek out the outdoor patios.

Greg Morrison, Chief of Police, reminded everyone that it is illegal to bring alcohol onto licensed premises.

Ron Hall, from il Bistro Italiano, said that it is the responsibility of the establishments to police themselves and the serpentine walkway would be parallel with planters.

Councilmember Spehar wanted to know if City Council could require a structure like Dolce Vita's. Dan Wilson, City Attorney, answered yes.

Councilmember Spehar said he has no problem with the way Dolce Vita's patio is set-up, but he does with the way Main Street Café has their tables and chairs out in the open.

Dan Wilson, City Attorney, explained again the reason for the 8-foot-wide pedestrian sidewalk.

Council President Enos-Martinez wanted to know if a structure requires a permit from the Public Works Department.

Dan Wilson, City Attorney, replied this ordinance allows this, but permanent physical structures require other provisions.

Bruce Hill, DDA Interim Director, said that if the DDA has concerns with noncompliance they can revoke the permit.

Councilmember Spehar said he appreciated the ambiance the outdoor patios would create, but was concerned about enforcement by the DDA, especially during special events.

Councilmember Kirtland suggested they resolve the issue of serving liquor later, but to pass the amendment now.

Councilmember Terry stated it would be cleaner to wait in approving either of the ordinances and thought it would be beneficial to know how the citizens feel about the amended ordinances. She questioned how the information would reach the people.

Ordinance No. 3422 - An Ordinance Amending Part of Chapter 32 of the City Of Grand Junction Code of Ordinances Relating to Downtown Sidewalk Permits

Upon motion made by Councilmember Kirtland, seconded by Councilmember Theobold, and carried by a roll call vote, Version 2 of Ordinance No. 3422 was adopted on Second Reading and ordered published.

Department of Energy Complex Energy Impact Grant

The Grand Junction Incubator Director, Thea Chase, is requesting the City of Grand Junction City Council be a sponsoring governing body for a Federal Energy Impact Grant.

Mayor Enos-Martinez asked to address this item next.

Kelly Arnold, City Manager, reviewed this item.

Upon motion made by Councilmember Theobald, seconded by Councilmember Kirtland, and carried by a roll call vote, the request that the City of Grand Junction City Council be a sponsoring body, with City Manager and City Attorney having final review of the application, was approved.

Hazard Elimination Grant for 24 1/2 and G Road Intersection Improvements

This grant is for a total of \$617,000. Based on the actual bids for the roundabout at the intersection of 25 Road and G Road and the fact that federally funded projects typically cost about thirty percent more than non-federal work, the estimated cost to do a similar project at this location is about \$771,300. The City cost would drop from about \$593,300 to about \$154,300. This adjustment would make about \$439,000 available for other City Capital Improvement priorities.

Resolution No. 43-02 - A Resolution Authorizing the Submission of a Grant Application to Assist in the Funding of the Construction of Intersection Improvements at 24 ½ Road and G Road

Mark Relph, Public Works and Utility Director, reviewed this item.

Upon motion made by Councilmember Theobald, seconded by Councilmember Kirtland, and carried by a roll call vote, Resolution No. 43-02 was adopted.

Public Hearing - Supplemental Budget Appropriations for 2002

The request is to appropriate specific amounts for several of the City's accounting funds as specified in the ordinance.

Ron Lappi, Administrative Services Director, reviewed this item.

Ordinance No. 3423 - An Ordinance Making Supplemental Appropriations to the 2002 Budget of the City of Grand Junction

Upon motion made by Councilmember Theobold, seconded by Councilmember McCurry, and carried by a roll call vote, Ordinance No. 3423 was adopted on Second Reading and ordered published.

NON-SCHEDULED CITIZENS & VISITORS

There were none.

OTHER BUSINESS

There was none.

ADJOURNMENT

The City Council meeting adjourned at 11:41 p.m.

Stephanie Tuin, CMC
City Clerk

Attach 2
Independent Avenue Improvements Contract
CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA						
Subject	Independent Avenue Street Improvements - Phase II					
Meeting Date	May 15, 2002					
Date Prepared	May 6, 2002				File #	
Author	Mike Curtis			Project Engineer		
Presenter Name	Tim Moore			Public Works Manager		
Report results back to Council	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	Yes	When	
Citizen Presentation	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No	Name	
	Workshop	<input checked="" type="checkbox"/>	Formal Agenda	<input checked="" type="checkbox"/>	Consent	Individual Consideration

Summary: Bids were received and opened on April 23, 2002. M. A. Concrete Construction submitted the low bid in the amount of \$876,212.17.

The following bids were received for this project:

Contractor	From	Bid Amount
M. A. Concrete Construction, Inc.	Grand Junction	\$876,212.17
Elam Construction	Grand Junction	\$988,764.92
United Companies	Grand Junction	\$1,020,180.40
Engineer's Estimate		\$1,082,933.90

Budget:

Funding	
2002 Budget Fund 2011-Independent	\$1,339,529.00

2002 Budget Fund 2011-25 1/2 Road Drainage	\$20,856.00
2002 Budget-Common Utility Trench	\$25,200.00
Phase II Street Reconstruction Scope Reduction	\$10,000.00
2002 Transfer from Fund 207	\$83,907.37
Total Funding	\$1,479,492.37

Project Costs	
Phase IB Utilities Construction Contract	\$399,487.20
Electric Service Conversions Estimate	\$10,000.00
Street Lighting Estimate	\$26,009.00
ROW Acquisition Estimate	\$46,000.00
Phases IB & II Engineering & Administration Estimate	\$108,000.00
513 Independent Avenue Cost Avoidance	\$31,500.00
DOW Site Restoration (irrigation & landscaping)	\$10,000.00
Phase II Street Reconstruction Contract (minus water)	\$848,496.17
Total Costs	\$1,479,492.37

To offset the budget shortfall, money will be appropriated from Fund 207 in September during the supplemental appropriation period. The shortfall in funding can be attributed to higher construction costs for the Phase IB utility work (storm drain and irrigation) and street reconstruction costs. \$306,000 was budgeted for the Phase IB utilities work against a contract of \$399,487.20 for a shortfall of \$93,487.20. \$825,000 was budgeted for street reconstruction compared to the low bid of \$848,496.17 for a shortfall of \$23,496.17.

Staff has identified approximately \$10,000 in retaining walls that can be deleted from the construction contract due to redevelopment of the property on the southeast corner of Independent Avenue and Motor Street. For unexpected construction changes the construction bid schedule has a contingency account with \$30,000 set aside. This leaves a deficit of \$83,907.37. Staff recommends that this \$84,000 be transferred from the Development Fund 207 in September.

Action Requested/Recommendation:

Authorize the City Manager to execute a construction contract for the Independent Avenue Street Improvements - Phase II with M. A. Concrete Construction in the amount of \$876,212.17.

Attachments:

None

Background Information:

The project generally consists of the replacement of approximately 600 feet of water line, unclassified excavation, installation of curb, gutter and sidewalk, mechanically stabilized concrete block retaining walls, aggregate base course, hot bituminous pavement, traffic control and construction surveying for approximately 3,100 LF of street from 1st Street to the east side of Independent Plaza west of 25 1/2 Road.

Two traffic lanes with bike paths, curb, gutter, and sidewalk on each side and a parking lane on the south side will be built from 1st Street to Poplar Drive. Two traffic lanes with a center turn lane; bike paths, curb, gutter, and sidewalk on each side will be built from Poplar Drive to Independent Plaza.

Work is scheduled to begin on May 28, 2002 and continue for 19 weeks with an anticipated completion date of October 4, 2002.

**Attach 3
Bunting Avenue Storm Drain Contract**

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA							
Subject	Bunting Ave. Storm Drain Asphalt and Concrete Replacement Contract						
Meeting Date	May 15, 2002						
Date Prepared	April 29, 2002				File #		
Author	Mike Best			Sr. Engineering Technician			
Presenter Name	Tim Moore			Public Works Manager			
Report results back to Council	X	No		Yes	When		
Citizen Presentation		Yes	x	No	Name		
	Workshop	X		Formal Agenda	x	Consent	Individual Consideration

Summary:, The Bunting Ave. Storm Drain Asphalt and Concrete Replacement will replace substandard curb, gutter and sidewalk along Bunting Ave. from 21st to 18th Street after the new storm drain is replaced. Bids were opened on April 26, 2002 as follows:

Reyes Construction	Grand Junction	
\$66,299.28		
BPS Concrete	Grand Junction	
\$59,725.15		
G and G Paving	Grand Junction	
\$54,934.88		
<u>Vista Paving Corporation</u>	<u>Grand Junction</u>	<u>\$52,755.68</u>
Engineer's Estimate		
\$50,369.71		

Budget:

Project Costs:

Construction
\$52,755.68

City inspection and Admin.

\$2,000.00

Total
\$54,755.68

Funding:

<u>Capital Fund</u>	<u>2002 Budget</u>	<u>Committed</u>	<u>This Contract</u>	<u>Balance</u>
New Sidewalk	\$168,000	\$154,895.42	\$7,944.75	\$4,840.17
Accessibility	\$50,000	\$46,160.00	\$3,840.00	\$0
Curb Gutter and Sidewalk Repair Project Cost	\$417,544	\$264,289.25	\$44,970.93	\$112,283.82
	\$54,755.68			

Action Requested/Recommendation: Authorize the City Manager to Sign a Construction Contract for the Bunting Ave. Concrete and Asphalt Replacement with Vista Paving Corporation in the amount of \$52,755.68.

Attachments: None

Background Information: The curb, gutter and sidewalk will be replaced after the new storm drain is installed. The contractor will also replace the asphalt paving over the new storm drain trench. This project will start on June 3, 2002 and continue for 4 weeks with an anticipated completion date of June 28, 2002.

Attach 4
Setting a Hearing – Zoning Beagley Annexation
CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA						
Subject	Zoning the Beagley Annexation Located at 3049 Walnut Avenue					
Meeting Date	May 15, 2002					
Date Prepared	May 6, 2002				File # ANX-2002-084	
Author	Ronnie Edwards		Associate Planner			
Presenter Name	Ronnie Edwards		Associate Planner			
Report results back to Council	X	No		Yes	When	
Citizen Presentation		Yes	X	No	Name	
	Workshop		Formal Agenda	X	Consent	Individual Consideration

Summary: The Beagley Annexation is a single parcel of land consisting of 5.92 acres located at 3049 Walnut Avenue and including a portion of the F Road, Grand Valley Drive and Walnut Avenue rights-of-way (#ANX-2002-084). The petitioner is requesting a zone of Residential Single Family, 4 units per acre (RSF-4), which conforms to the Future Land Use Map of the Growth Plan. Planning Commission recommended approval at its May 14, 2002 meeting.

Budget: N/A

Action Requested/Recommendation: Adopt the ordinance zoning the Beagley Annexation.

Attachments:

1. Background Information/Staff Analysis
2. Annexation Map
3. Future Land Use Map
4. Zoning Ordinance

BACKGROUND INFORMATION			
Location:		3049 Walnut Avenue	
Applicants:		Lawrence & Jolene Beagley	
Existing Land Use:		Single Family Residence	
Proposed Land Use:		Single Family Residence	
Surrounding Land Use:	North	Single Family Residential	
	South	Single Family Residential	
	East	Single Family Residential	
	West	Single Family Residential	
Existing Zoning:		County RSF-4	
Proposed Zoning:		City RSF-4	
Surrounding Zoning:	North	County RSF-4	
	South	County RSF-4	
	East	County RSF-4	
	West	County RSF-4	
Growth Plan Designation:		Residential Medium-Low (2-4 du/ac)	
Zoning within density range?		X	Yes
			No

Staff Analysis:

ANNEXATION:

This annexation area consists of annexing 5.92 acres of land. Owners of the property have signed a petition for annexation as part of their request for a simple subdivision to create one new lot for proposed residential use, pursuant to the 1998 Persigo agreement with Mesa County.

It is staff's professional opinion, based on review of the petition and knowledge of applicable state law, including the Municipal Annexation Act Pursuant to C.R.S. 31-12-104, that the Beagley Annexation is eligible to be annexed because of compliance with the following:

- a) A proper petition has been signed by more than 50% of the owners and more than 50% of the property described;
- b) Not less than one-sixth of the perimeter of the area to be annexed is contiguous with the existing City limits;
- c) A community of interest exists between the area to be annexed and the City. This is so in part because the Central Grand Valley is essentially a

single demographic and economic unit and occupants of the area can be expected to, and regularly do, use City streets, parks and other urban facilities;

d) The area is or will be urbanized in the near future;

e) The area is capable of being integrated with the City;

f) No land held in identical ownership is being divided by the proposed annexation;

g) No land held in identical ownership comprising 20 contiguous acres or more with an assessed valuation of \$200,000 or more for tax purposes is included without the owners consent.

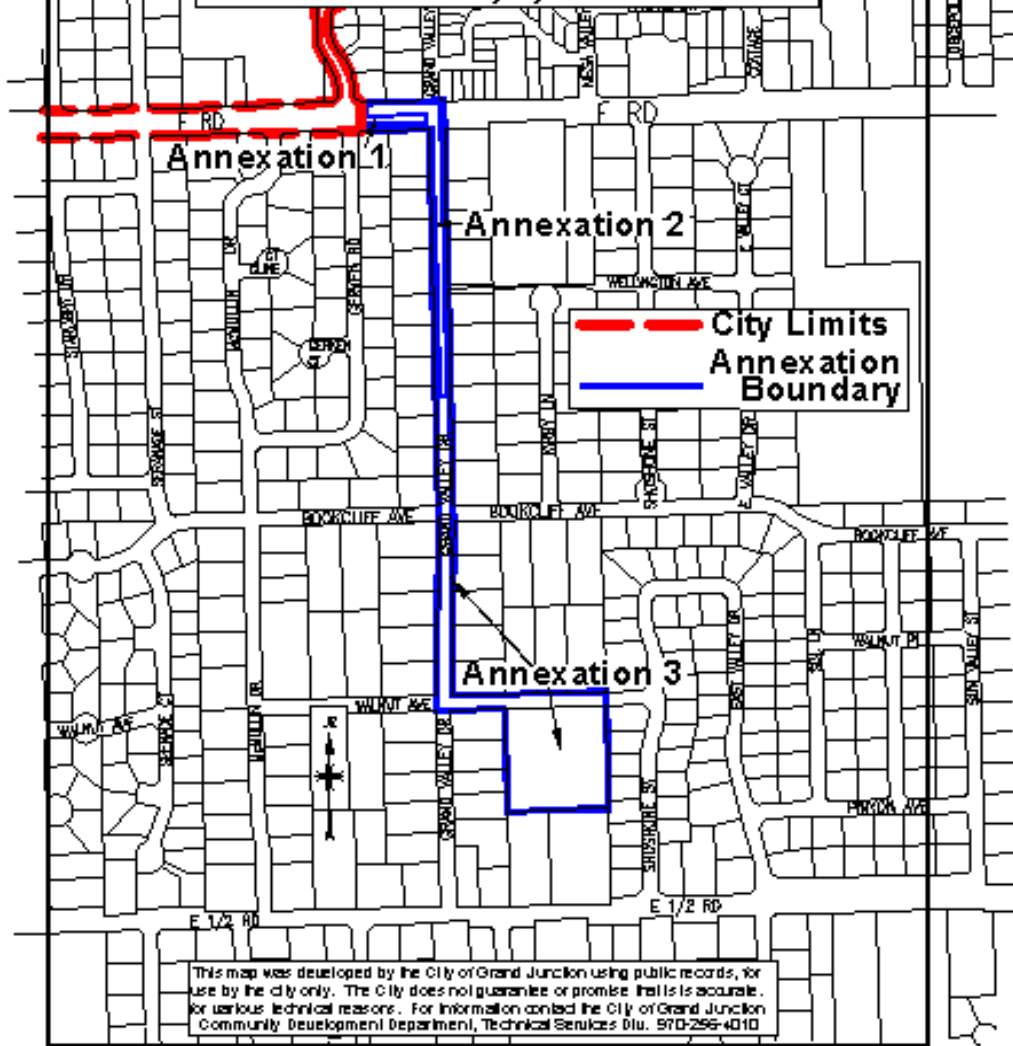
<u>BEAGLEY ANNEXATION SUMMARY</u>		
File Number:		ANX-2002-084
Location:		3049 Walnut Avenue
Tax ID Number:		2943-092-00-009
Parcels:		1
Estimated Population:		5
# of Parcels (owner occupied):		1
# of Dwelling Units:		1
Acres land annexed:		5.92 acres for annexation area
Developable Acres Remaining:		2.539 acres
Right-of-way in Annexation:		242' of 100' ROW of F Road, 1869' of 50' ROW of Grand Valley Drive, and 506' of 50' ROW of Walnut Avenue; See Map
Previous County Zoning:		RSF-4
Proposed City Zoning:		RSF-4
Current Land Use:		Single Family Residence
Future Land Use:		Single Family Residence
Values:	Assessed:	= \$ 11,470
	Actual:	= \$ 124,540
Census Tract:		11
Address Ranges:		3045 to 3049 Walnut Avenue
Special Districts:	Water:	Clifton Water District
	Sewer:	Central Grand Valley Sanitation
	Fire:	Grand Junction Fire District

	Drainage:	Palisade Irrigation District
	School:	District 51

The following annexation and zoning schedule is being proposed.

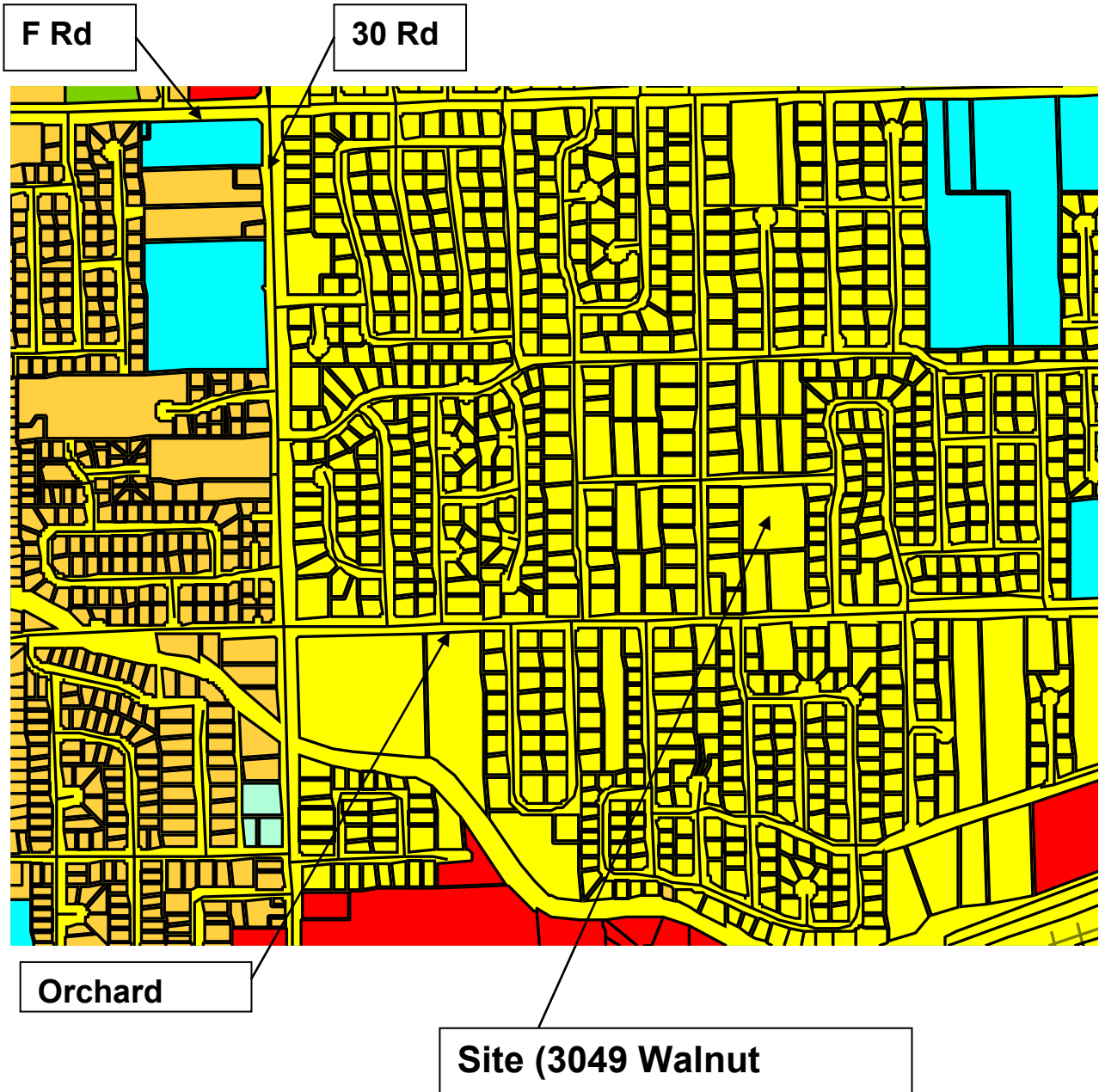
<u>ANNEXATION SCHEDULE</u>	
May 1, 2002	Referral of Petition (30 Day Notice), First Reading, Exercising Land Use
May 14, 2002	Planning Commission considers Zone of Annexation
May 15, 2002	First Reading on Zoning by City Council
June 5, 2002	Acceptance of Petition and Public hearing on Annexation and Zoning by City Council
July 7, 2002	Effective date of Annexation and Zoning

BEAGLEY ANNEXATIONS NO. 1, 2, & 3



This map was developed by the City of Grand Junction using public records, for use by the city only. The City does not guarantee or promise that it is accurate, for various technical reasons. For information contact the City of Grand Junction Community Development Department, Technical Services Div. 970-296-4010

FUTURE LAND USE MAP



CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO. ____

ZONING THE BEAGLEY ANNEXATION TO RESIDENTIAL SINGLE FAMILY WITH A DENSITY NOT TO EXCEED FOUR UNITS PER ACRE (RSF-4)

LOCATED AT 3049 WALNUT AVENUE

Recitals.

After public notice and public hearing as required by the Grand Junction Zoning and Development Code, the Grand Junction Planning Commission recommended approval of applying an RSF-4 zone district to this annexation.

After public notice and public hearing before the Grand Junction City Council, City Council finds that the RSF-4 zone district be established for the following reasons:

- This zone district meets the criteria of Section 2.14.F of the Zoning and Development Code by being identical to or nearly identical to the former Mesa County zoning for each parcel and conforms to the adopted Growth Plan Future Land Use Map.
- This zone district meets the criteria found in Section 2.6 of the Zoning and Development Code.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION THAT:

The following property shall be zoned the Residential Single Family with a density not to exceed four units per acre (RSF-4) zone district

Includes the following tax parcel 2943-092-00-009

That the property situate in Mesa County, Colorado, and described to wit:

A tract of land located in the SE1/4 of the NW1/4, Section 9, T1S, R1E, Ute Meridian, Mesa County, Colorado, being more fully described as follows:

Beginning at the Southeasterly corner of a tract of land whence the C 1/4 corner of Section 9, T1S, R1E, Ute Meridian bears S00°01'02"E, 335.00' and considering

the south line of the SE1/4 of the NW1/4, of said Section 9 to bear N89°50'42"W, with all other bearings contained herein relative thereto:

- 1. Thence N89°50'42"W, 330.30 feet;**
- 2. Thence N00°00'41"E, 335.00 feet;**
- 3. Thence S89°50'42"E, 330.10 feet;**
- 4. Thence S00°01'22"E, 335.00 feet to the Point of Beginning, as described contains 2.539 acres more or less.**

Introduced on first reading this 1st day of May, 2002.

PASSED and ADOPTED on second reading this _____ day of _____, 2002.

Attest:

City Clerk

President of the Council

Attach 5
Renaming Rio Grande Drive to Camino del Rey Drive
CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA							
Subject		Rename Rio Grande Drive to Camino del Rey Drive					
Meeting Date		May 15, 2002					
Date Prepared		May 1, 2002			File # MSC-2002-083		
Author		Ronnie Edwards		Associate Planner			
Presenter Name		Ronnie Edwards		Associate Planner			
Report results back to Council		X	No		Yes	When	
Citizen Presentation			Yes	X	No	Name	
	Workshop			Formal Agenda	X	Consent	Individual Consideration

Summary: Resolution to rename a section of Rio Grande Drive to Camino del Rey Drive beginning at the undeveloped portion of the street 470' south of F Road and continuing to where the street intersects Santa Fe Drive.

Budget: N/A

Action Requested/Recommendation: Consideration and approval of a Resolution renaming a section of Rio Grande Drive to Camino del Rey Drive.

Attachments:

1. Staff Report
2. Aerial Location Map
3. Resolution

Background Information: See attached Staff Report.

AGENDA TOPIC: MSC-2002-083

SUMMARY: Request for approval of a resolution to rename a section of Rio Grande Drive to Camino del Rey Drive, beginning at the undeveloped portion 470 feet south of F Road until its termination at Santa Fe Drive.

BACKGROUND INFORMATION				
Location:		Beginning 470' south of F Road and ending at Santa Fe Drive in Mantey Heights Subdivision		
Applicants:		City of Grand Junction		
Existing Land Use:		Dedicated right-of-way		
Proposed Land Use:		Same		
Surrounding Land Use:	North	Residential uses		
	South	Residential uses		
	East	Residential uses		
	West	Residential uses		
Existing Zoning:		RMF-5		
Proposed Zoning:		Same		
Surrounding Zoning:	North	RMF-5		
	South	RMF-5		
	East	RMF-5		
	West	RMF-5		
Growth Plan Designation:		Residential Medium (4-8 du/acre)		
Zoning within density range?		NA	Yes	No

Action Requested: Approval of the Resolution authorizing the renaming of this section of Rio Grande Drive to Camino del Rey Drive.

Staff Analysis: The request originated from concerned citizens residing within the Mantey Heights Subdivision. This particular section of the right-of-way becomes unimproved and makes a sharp turn in which typically a different street name would be assigned under our present addressing guidelines. There are only a few residential lots adjacent to this right-of-way that will be effected. Residential homes exist on two of these lots.

This particular subdivision was platted and recorded in 1946 and some road improvements have never been completed. Rio Grande Avenue accessed from F Road becomes unimproved approximately 470 feet south of F Road, and makes two sharp turns before becoming paved again. This results in addresses along the southern portion of Rio Grande Drive that can only be accessed from a different side street. Concerned residents have stated that this is creating confusion for delivery people and 911 emergency services agree.

The proposed name change will not impact adjacent land uses.

Recommendation: Approval of the resolution renaming this section of Rio Grande Drive to Camino del Rey Drive.

Attachments: 1. Resolution
2. Aerial Photo

RESOLUTION NO. _____

A RESOLUTION RENAMING A SECTION OF RIO GRANDE DRIVE TO CAMINO DEL REY DRIVE BEGINNING 470 FEET SOUTH OF PATTERSON ROAD AND ENDING AT SANTE FE DRIVE LOCATED IN MANTEY HEIGHTS SUBDIVISION

Recitals.

Mantey Heights Subdivision was recorded on October 8, 1946. Some road improvements in the subdivision have never been completed. A portion of Rio Grande Drive is not fully improved including having the benefit of proper, modern naming and addressing. The Rio Grande right-of-way, as shown on the plat, makes two sharp turns and ultimately intersects with Santa Fe Drive. The street is configured, named and addressed in such a way that there are two Rio Grande Drives.

To eliminate the confusion the residents have requested that the City Council rename Rio Grande Drive for the particular section described as Camino del Rey Drive.

Presently there are only two residential homes adjacent to the right-of-way being effected.

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION, COLORADO:

That the name of the southern segment of Rio Grande Drive, as described in this resolution is hereby changed to Camino del Rey Drive.

ADOPTED AND APPROVED THIS 15th day of May 2002.

ATTEST:

Stephanie Tuin
City Clerk

Cindy Enos-Martinez
President of City Council

AERIAL LOCATION MAP

Existing Rio Grande



Undeveloped

Begin 470' South of

Proposed

Santa Fe Drive

Ending at Santa Fe Dr.

Attach 6

Setting a Hearing on Rezoning Appleton Corners

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA							
Subject	First reading of the Rezoning Ordinance for the Appleton Corners property located at 797 24 Road						
Meeting Date	May 15, 2002						
Date Prepared	May 6, 2002				File #RZ-2002-051		
Author	Lisa Gerstenberger			Senior Planner			
Presenter Name	Same			Same			
Report results back to Council	X	No		Yes	When		
Citizen Presentation		Yes	X	No	Name		
	Workshop	X		Formal Agenda	X	Consent	Individual Consideration

Summary: First reading of the Rezoning Ordinance to rezone 1.85 acres from Residential Single Family Rural (RSF-R) to Neighborhood Business (B-1), and setting a public hearing for June 26, 2002.

Budget: N/A

Action Requested/Recommendation: Approve first reading of the Rezoning Ordinance and set a public hearing for June 26, 2002.

Attachments:

1. Site location map
2. Rezone ordinance

Background Information: See attached report.

CITY OF GRAND JUNCTION

MEETING DATE: May 15, 2002

CITY COUNCIL STAFF PRESENTATION: Lisa Gerstenberger

AGENDA TOPIC: RZ-2002-051, Appleton Corners Rezone.

SUMMARY: Request to rezone 1.85 acres from Residential Single Family Rural (RSF-R) to Neighborhood Business (B-1) and setting a hearing date for June 26, 2002.

BACKGROUND INFORMATION					
Location:		797 24 Road			
Applicants:		Richard Pennington, Owner Mike Joyce, Representative			
Existing Land Use:		Residential			
Proposed Land Use:		Residential (unchanged)			
Surrounding Land Use:	North	Commercial			
	South	Commercial/Residential			
	East	Residential			
	West	Residential			
Existing Zoning:		Residential Single Family Rural (RSF-R)			
Proposed Zoning:		Neighborhood Business (B-1)			
Surrounding Zoning:	North	County B-1			
	South	County AFT			
	East	County AFT			
	West	County Planned Development			
Growth Plan Designation:		Neighborhood Commercial			
Zoning within density range?		X	Yes		No

ACTION REQUESTED: Approve first reading of the Rezoning Ordinance and set a public hearing for June 26, 2002.

Staff Analysis:

Project Background/Summary

The applicant owns property located at 797 24 Road and has requested a rezone from Residential Single Family Rural (RSF-R), 5 acres per dwelling unit, to Neighborhood Business (B-1). The applicant has no current plans to develop the property, but would like to rezone the property in accordance with the goals of the North Central Valley Plan

to market the property for future development. The North Central Valley Plan represents a joint planning process between the County and City to develop a neighborhood master plan for the North Central Valley area and was adopted by Mesa County and the City of Grand Junction on March 18, 1998.

The proposal to rezone to B-1 at the southwest corner of 24 Road and H Road is consistent with the findings of the North Central Valley Plan for commercial uses at that intersection. The Plan also acknowledged that design standards and guidelines should be established for those uses. Mesa County has not yet developed or adopted such design standards or guidelines, however, the City of Grand Junction is currently working to develop them for the North Central Valley Plan area and the Neighborhood Business (B-1) zone district. At the time of development, the applicant or current property owner will be responsible for compliance with the design standards and guidelines after they have been adopted by City Council.

REZONING CRITERIA:

The rezone request must be evaluated using the criteria noted in Section 2.6.A of the Zoning and Development Code. The criteria are as follows:

1. The existing zoning was in error at the time of adoption. The existing zoning is not in error. The property was recently annexed into the City and assigned a City zone district compatible with the previous County zoning in accordance with the Persigo Agreement.
2. There has been a change of character in the neighborhood due to installation of public facilities, other zone changes, new growth trends, deterioration, development transitions, etc. The property is located in an area that has historically had commercial development located on the four corners of the intersection of 24 Road and H Road. The North Central Valley Plan recognizes the historical development patterns of this area, and as such indicates Neighborhood Commercial for the intersection of 24 Road and H Road as the most appropriate land use.
3. The proposed rezone is compatible with the neighborhood and will not create adverse impacts such as: capacity or safety of the street network, parking problems, storm water or drainage problems, water, air or noise pollution, excessive nighttime lighting, or other nuisances. The proposed rezone is in keeping with the goals of the North Central Valley Plan and historical development patterns. Infrastructure and utilities either currently exist or can be extended to the property at the time of development. There are no adverse impacts anticipated as a result of the rezone request.
4. The proposal conforms with and furthers the goals and policies of the Growth Plan, other adopted plans, and the policies, the requirements of the Code and other City regulations and guidelines. The North Central Valley Plan, as a neighborhood plan, supercedes the Growth Plan. The proposed rezone is consistent with the findings of the North Central Valley Plan.

Examples of goals and policies that support the rezone request are:

Goal 4: Use zoning and area plans to describe the preferred types of non-residential development in various parts of the community.

Goal 8: Limit non-residential development in the North Central Valley to the areas indicated on the future land use map as follows: #D: Intersection of 24 and H Roads – allow low scale neighborhood service and retail uses.

Future Land Use Map of the North Central Valley Plan: *Neighborhood Commercial shall apply to all four properties at the intersection of 24 and H Roads plus any additional properties in the immediate vicinity of that intersection which may be identified as having historically been commercial uses as a result of the inventory process and subject to implementation item numbers 3 and 4 in the Community Image/Character Action Plan of this Plan.

5. Adequate public facilities and services are available or will be made available concurrent with the projected impacts of the proposed development. Adequate public facilities are available, or will be extended to the site during development.

6. There is not an adequate supply of land available in the neighborhood and surrounding area to accommodate the zoning and community needs. The proposed rezone is consistent with adjacent developments and is compatible with the goals and policies of the North Central Valley Plan. The four corners of the Appleton neighborhood represent the only area recommended for neighborhood commercial in the North Central Valley Plan.

7. The community or neighborhood will benefit from the proposed zone. The proposed rezone would provide the developing neighborhood with additional property to be developed in a manner compatible with the North Central Valley Plan.

Access/Streets

Access to the property is provided from 24 Road and H Road. Access for specific uses in the future for this property will be reviewed at the time of development and be compliant with City access standards.

Lot Configuration and Bulk Requirements

Bulk and development standards are currently under review for the B-1 zone district. After the design standards and guidelines have been developed and adopted by the City for the North Central Valley Plan area, and development standards have been developed for the Neighborhood Business (B-1) zone district, the applicant or current property owner will need to comply with those standards.

Drainage/Irrigation/Utilities

Drainage concerns will be addressed at the time of development. All required utilities are available or will be extended to the site for development.

STAFF RECOMMENATION:

Staff recommends approval of the request to rezone 1.85 acres from Residential Single Family Rural (RSF-R) to Neighborhood Business (B-1), with the finding that the proposed zone district is consistent with the North Central Valley Plan and with Section 2.6.A of the Zoning and Development Code.

PLANNING COMMISSION RECOMMENDATION

Planning Commission made the recommendation of approval for the request to rezone from Residential Single Family Rural (RSF-R) zone district to Neighborhood Business (B-1), with the findings that the request is consistent with the North Central Valley Plan and Section 2.6.A of the Zoning and Development Code and that they owner will comply with the future design and development standards and guidelines that the City may adopt for the B-1 zone district.

Attachments:

1. Site location map
2. Rezone Ordinance

Site Location Map



CITY OF GRAND JUNCTION, COLORADO

ORDINANCE No. ____

**Ordinance Rezoning the Appleton Corners Property
Located at 797 24 Road
from Residential Single Family Rural (RSF-R)
to Neighborhood Business (B-1)**

Recitals.

After public notice and public hearing as required by the Grand Junction Zoning and Development Code, the Grand Junction Planning Commission recommended approval of rezoning the Appleton Corners property to the Neighborhood Business (B-1) zone district for the following reasons:

The zone district meets the recommended land use category as shown on the North Central Valley Plan future land use map and the Plan's goals and policies. The zone district meets the criteria found in Section 2.6.A of the Zoning and Development Code.

After public notice and public hearing before the Grand Junction City Council, City Council finds that the B-1 zone district be established.

The Planning Commission and City Council find that the B-1 zoning is in conformance with the stated criteria of Section 2.6.A of the Grand Junction Zoning and Development Code.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION THAT:

The following property shall be rezoned to Neighborhood Business (B-1) zone district:

BEG at a pt 30' W of the NE corner of SEC 32, T1N, R1W, UM S 320.5', W 281.4', N1°47'E to the N line of SEC 32, E 260' POB.

Property owner shall comply with the design and development standards and guidelines for the B-1 zone district as adopted by the City of Grand Junction.

Introduced on first reading this ____ day of May, 2002.

PASSED and ADOPTED on second reading this ____ day of June, 2002.

President of the Council

ATTEST:

City Clerk

Attach 7

Setting a Hearing on Rezoning Lewis Property

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA							
Subject	First reading of the Rezoning Ordinance for the Lewis property located at 2258 South Broadway						
Meeting Date	May 15, 2002						
Date Prepared	May 6, 2002				File #GPA-2001-178		
Author	Lisa Gerstenberger			Senior Planner			
Presenter Name	Same			Same			
Report results back to Council	X	No		Yes	When		
Citizen Presentation		Yes	X	No	Name		
	Workshop	X		Formal Agenda	X	Consent	Individual Consideration

Summary: First reading of the Rezoning Ordinance to rezone 1.83 acres from Residential Single Family 4 (RSF-4), 2-4 units per acre and Community Services and Recreation (CSR), to Neighborhood Business (B-1) and Community Services and Recreation (CSR). and setting a public hearing for June 26, 2002.

Budget: N/A

Action Requested/Recommendation: Approve first reading of the Rezoning Ordinance and set a public hearing for June 26, 2002.

Attachments:

1. Site location map
2. Rezone ordinance

Background Information: See attached report.

GRAND JUNCTION MEETING DATE: May 6, 2002

CITY COUNCIL STAFF PRESENTATION: Lisa Gerstenberger

AGENDA TOPIC: GPA-2001-178, Lewis Rezone.

SUMMARY: First reading of the Rezoning Ordinance to rezone 1.83 acres from Residential Single Family 4 (RSF-4), 2-4 units per acre and Community Services and Recreation (CSR), to Neighborhood Business (B-1) and Community Services and Recreation (CSR), and setting a public hearing for June 26, 2002.

BACKGROUND INFORMATION			
Location:		2258 South Broadway	
Applicants:		Roxanne and Mikel Lewis, Owners Mike Joyce, Representative	
Existing Land Use:		Residential/Vacant	
Proposed Land Use:		Commercial	
Surrounding Land Use:	North	Vacant	
	South	Commercial	
	East	Residential	
	West	Residential	
Existing Zoning:		RSF-4 (2-4 units per acre)/CSR	
Proposed Zoning:		Neighborhood Business/CSR	
Surrounding Zoning:	North	County RSF-4 (R2) and City PD	
	South	City PD (Planned Business)	
	East	County RSF-4 (R2)	
	West	County RSF-4 (R2)	
Growth Plan Designation:		Commercial and Residential Low, ½ to 2 acres per dwelling unit	
Zoning within density range?		X	Yes
			No

ACTION REQUESTED: Approve first reading of the Rezoning Ordinance and set a public hearing for June 26, 2002.

BACKGROUND: The Lewis property is located at 2258 South Broadway and consists of tax parcels 2945-074-09-015 and 018 at the northwest corner of Hwy 340 and Kansas Avenue. The property is bounded by vacant property to the north, Hwy 340 to

the south, residential property to the east and the Redlands Parkway to the west. The applicant previously requested a Growth Plan Amendment and rezone for their property which they would like to develop in the future as a carwash. The Growth Plan Amendment from Residential Low (1/2-2 acres per dwelling unit) to Commercial was reviewed by the Planning Commission and recommended for denial to the City Council. The applicant filed an appeal to City Council, and after consideration of the request, the City Council granted the Growth Plan Amendment by a super majority vote of 5-2 at its January 16, 2002 meeting. The applicant is now requesting a rezone of the their property from Residential Single Family 4 (RSF-4) and Community Services and Recreation (CSR), to Neighborhood Business (B-1) and Community Services and Recreation (CSR). The applicant proposes to rezone .93 acres of the property to Neighborhood Business (B-1) and to rezone the balance of .90 acres to Community Services and Recreation (CSR).

The proposed carwash would take access from Kansas Avenue only. Access to Hwy 340 or the Redlands Parkway would not be permitted. As noted, the total acreage of the property is 1.83 acres, however only a .93 acre portion would be utilized for the commercial development, with the balance of approximately .90 acres to be left as open space and to act as a buffer between the proposed commercial use and the residential uses to the north. A large portion of the property that will not be developed is a ravine with steep sides and contains wetlands. The applicants are currently implementing an approved plan to remediate an existing area of fill in a wetland area that has been identified and approved for mitigation by the US Army Corps of Engineers.

In an effort to analyze the "worst case scenario", the applicant was asked by City staff to prepare a traffic study using the most intensive land use allowable in the C-1 district. The applicant's original request was to rezone to C-1, however they have since revised their request to B-1, Neighborhood Business, based partially on staff recommendation. Staff suggested using a convenience store with gas pumps as the most intensive use for the traffic study. When the traffic study had been completed, City staff met the applicant and their representative to discuss the findings and consider possible responses to the traffic issues that will occur over time. The traffic study noted future deficiencies in levels of services (LOS) even if the Lewis property does not develop. Traffic concerns will be addressed and resolved during the review and approval process for the proposed carwash development.

REZONING CRITERIA:

The proposed rezone for the Lewis property is from Residential Single Family 4 (RSF-4), 2-4 units per acre and Community Services and Recreation (CSR), to Neighborhood Business (B-1) and Community Services and Recreation (CSR). The request to rezone must be evaluated using the criteria noted in Section 2.6(A) of the Zoning and Development Code. The criteria are as follows:

1. The existing zoning was in error at the time of adoption. The existing Residential Single Family-4 (RSF-4) zoning is not consistent with the Future Land Use Map designation of Commercial. The Conservation Services and Recreation (CSR) zoning is also not consistent with the Future Land Use Map designation of Residential Low. The current RSF-4 and CSR zoning are consistent however with the current land uses of the parcels, which are residential and vacant open space. Given the inconsistencies with the current zoning relative to the land use classification shown on the Future Land Use Map, it is possible that the existing zoning was in error.

2. There has been a change of character in the neighborhood due to installation of public facilities, other zone changes, new growth trends, deterioration, development transitions, etc.. A Growth Plan amendment and rezone was granted in 1999 for the property located to the south on the southeast corner of Redlands Parkway and Hwy 340. The Plan amendment redesignated the property from Residential to Commercial and rezoned the property to Planned Development (utilizing B-1 as a base zone). The development of the property to the south and an increase in traffic represent the most significant changes of the immediate area, however, character of the neighborhood remains primarily residential and unchanged.

3. The proposed rezone is compatible with the neighborhood and will not create adverse impacts such as: capacity or safety of the street network, parking problems, storm water or drainage problems, water, air or noise pollution, excessive nighttime lighting, or other nuisances. Uses allowed in the B-1 district tend to be less intensive in nature and are considered more compatible with residential uses. Any future development would be required to adhere to all City design standards and regulations such as parking requirements, stormwater and drainage design, and lighting.

4. The proposal conforms with and furthers the goals and policies of the Growth Plan, other adopted plans, and the policies, the requirements of the Code and other City regulations and guidelines. The proposed rezone to Neighborhood Business (B-1) is consistent with the Growth Plan Future Land Use Map.

Examples of goals and policies that support the request are:

Goal 12: To enhance the ability of neighborhood centers to compatibly serve the neighborhoods in which they are located.

Policy 12.1: The City and County will encourage the retention of small-scale neighborhood commercial centers that provide retail and service opportunities in a manner that is compatible with surrounding neighborhoods.

Policy 12.2: The City and County will limit the development of large scale retail and service centers to locations with direct access to arterial roads within commercial nodes shown in the Future Land Use Map.

An example of a goal that does not support the proposed request is:

Goal 11: To promote stable neighborhoods and land use compatibility throughout the community.

5. Adequate public facilities and services are available or will be made available concurrent with the projected impacts of the proposed development. There are existing public facilities (utilities) that are available, or that could be extended to serve the site. The issue of traffic and the ability of the existing road network to accommodate development is not yet resolved. The difficulty of that issue is that Level of Service (LOS) for the existing roads will diminish in the future with or without development of the site.

6. There is not an adequate supply of land available in the neighborhood and surrounding area to accommodate the zoning and community needs. There are currently very few sites available in the Redlands area to accommodate commercial and neighborhood businesses. There have not been any recent studies completed to evaluate the need for additional areas to be zoned for commercial use, however, there is a transportation study currently underway which is examining this issue as a part of the study. The Mesa County Redlands Policies (adopted in 1986 by Mesa County but not the City of Grand Junction) does identify this area as a Village Center indicating that commercial use of this site has been given consideration in the past.

7. The community or neighborhood will benefit from the proposed zone. Rezoning property in a manner that is consistent with the Growth Plan and compatible with surrounding uses while providing opportunities for development that meets the objectives of the Growth Plan and other City regulations is generally considered beneficial. Development of this property will have to contend with mitigation of an existing wetlands violation. To this extent, there is benefit to the community in the mitigation effort which is consistent with the goals and policies of the Growth Plan. Examples of goals and policies that encourage the mitigation work include:

Goal 13: To enhance the aesthetic appeal of the community.

Goal 20: To achieve a high quality of air, water and land resources.

Policy 20.6: The City and County will promote State, Federal and private efforts to clean up contaminated sites in the community.

Policy 20.9: The City and County will encourage dedications of conservation easements or land along the hillsides, habitat corridors, drainageways and waterways surrounding the City.

STAFF ANALYSIS:

In reviewing the goals and policies of the Growth Plan, it is apparent that some of the goals and policies would support the rezone request. Specific goals and policies that support the request are:

Goal 12: To enhance the ability of neighborhood centers to compatibly serve the neighborhoods in which they are located.

Policy 12.1: The City and County will encourage the retention of small-scale neighborhood commercial centers that provide retail and service opportunities in a manner that is compatible with surrounding neighborhoods.

Policy 12.2: The City and County will limit the development of large scale retail and service centers to locations with direct access to arterial roads within commercial nodes shown in the Future Land Use Map.

Goal 20: To achieve a high quality of air, water and land resources.

Policy 20.6: The City and County will promote State, Federal and private efforts to clean up contaminated sites in the community.

Policy 20.9: The City and County will encourage dedications of conservation easements or land along the hillsides, habitat corridors, drainageways and waterways surrounding the City.

Staff received a considerable number of letters, emails and telephone calls from citizens who live in the area of the proposed rezone. Some citizens wrote to express their support of the proposed development, others wrote to express their opposition. Letters and emails received by citizens were previously included with the staff report for the Growth Plan Amendment request, and continue to be available for review.

FINDINGS OF FACT/CONCLUSIONS:

Upon review of the request to rezone from Residential Single Family 4 (RSF-4), 2-4 units per acre and Community Services and Recreation (CSR), to Neighborhood Business (B-1) and Community Services and Recreation (CSR), staff makes the following findings of fact and conclusions:

1. The request to rezone is consistent with certain goals and policies of the Growth Plan.
2. The request to rezone meets the criteria of Section 2.6.A of the Zoning and Development Code.

STAFF RECOMMENATION:

Staff recommends approval of the request to rezone 1.83 acres from Residential Single Family 4 (RSF-4) and Community Services and Recreation (CSR), to Neighborhood Business (B-1) and Community Services and Recreation (CSR) with the findings that

the rezone request meets the goals and policies of the Growth Plan and the rezone criteria of Section 2.6 .A of the Zoning and Development Code.

PLANNING COMMISSION RECOMMENDATION:

The Planning Commission made a recommendation of approval for the request to rezone 1.83 acres from Residential Single Family 4 (RSF-4) and Community Services and Recreation (CSR), to Neighborhood Business (B-1) and Community Services and Recreation (CSR) with the findings as noted above.

Attachments:

1. Site map
2. Rezone Ordinance

Site map



Rezone to B-1

Rezone to CSR

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE No. ____

**Ordinance Rezoning the Lewis Property
Located at 2258 South Broadway
from Residential Single Family 4 (RSF-4) and
Community Services and Recreation (CSR),
to Neighborhood Business (B-1) and
Community Services and Recreation (CSR),**

Recitals.

After public notice and public hearing as required by the Grand Junction Zoning and Development Code, the Grand Junction Planning Commission recommended approval of rezoning the Lewis property to the Neighborhood Business (B-1) Community Services and Recreation (CSR) zone districts for the following reasons:

The zone district meets the recommended land use category as shown on the Growth Plan Future Land Use Map and meets the Plan's goals and policies.

The zone district meets the criteria found in Section 2.6.A of the Zoning and Development Code.

After public notice and public hearing before the Grand Junction City Council, City Council finds that the B-1 and CSR zone districts be established.

The Planning Commission and City Council find that the B-1 and CSR zoning is in conformance with the stated criteria of Section 2.6.A of the Grand Junction Zoning and Development Code.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION THAT:

The following property shall be rezoned to Neighborhood Business (B-1) and Community Services and Recreation (CSR) zone districts:

Rezone .93 acres located at 2258 South Broadway to B-1, the parcel being more fully described as follows:

A certain parcel of land lying in the Southeast Quarter (SE ¼) of Section 7, Township 1 South, Range 1 West of the Ute Principal Meridian and being a portion of Lot 18, Redlands Estates Subdivision as same is recorded in Plat Book 8, Page 74, and all of Outlot 2, Columbine Subdivision as same is recorded in Plat Book 8, Page 72, all being recorded in the Public Records of Mesa County, Colorado, all of said property being

located in the State of Colorado, County of Mesa, City of Grand Junction, being more particularly described as follows:

COMMENCING at the South Quarter (S ¼) Corner of said Section 7, and considering the South line of the Southeast Quarter of the Southwest Quarter (SE ¼ SW ¼) to bear S 89°46'38" W with all bearings contained herein being relative thereto; thence from said Point of Commencement, N 63°51'22" E a distance of 468.94 feet to a point on the Northerly right of way for Colorado State Highway 340 and the TRUE POINT OF BEGINNING; thence from said Point of Beginning, N 02°50'30" W a distance of 44.32 feet; thence N 40°26'59" E a distance of 121.91 feet; thence N 45°08'50" E a distance of 64.51 feet; thence S 45°07'15" E a distance of 166.78 feet, more or less, to a point on the Westerly right of way for Kansas Avenue; thence S 04°20'16" W, along said Westerly right of way, a distance of 30.29 feet; thence continuing along said Westerly right of way, S 32°21'16" W a distance of 171.19 feet to a point on the Northerly right of way for said Colorado State Highway 340 and being the beginning of a 1387.53 foot radius non-tangent curve, concave Northeast; thence Northwesterly 183.63 feet along the arc of said curve, through a central angle of 07°34'58", having a long chord bearing of N 53°10'54" W with a chord length of 183.50 feet, to the Point of Beginning. Containing 0.93 Acres, more or less, as described.

Rezone .90 acres located at 2258 South Broadway to CSR, the parcel being more fully described as follows:

A parcel of land being a part of Lot 18 of the Redlands Estates Subd recorded in Plat Bk 8, Pg 74, in the office of the County Clerk & Recorder of Mesa Co., CO and a part of the land desc in Bk 1217 at Pg 876 in the office of the County Clerk & Recorder of Mesa Co., CO situate in the SE1/4 of SEC 7, T1SR1W of the Ute Meridian and being more particularly desc as follows:

BEG at the NE cor of said lot 18, also being a point on the NW boundary line of "Outlot 2" of the Columbine Subd and a "Public Site" dedicated on the Bluffs West Estates Subd recorded in Plat Bk 11, Pg 301-303 in the office of the County Clerk & Recorder of Mesa Co., CO, whence the S1/4 cor of said SEC 7, a Mesa Co., Survey Monument in place, bears S55°11'34"W 809.54'; S22°14'43"W along said NW boundary line 183.00'; N62°25'18"W 110.00' to a point on the SE ROW line of Redlands Parkway desc in Bk 2802 at Pg 906; N45°08'50"E along said SE ROW line of Redlands Parkway 149.37' N24°51'08"E continuing along said SE ROW line of Redlands Parkway 54.88' to a point on the NE boundary line of said Lot 18 of the Redlands Estates Subd; S45°51'50"E along said SE boundary line of said Lot 18, 52.70' to the POB.

Introduced on first reading this _____ day of May, 2002.

PASSED and ADOPTED on second reading this ____ day of June, 2002.

President of the Council

ATTEST:

City Clerk

Attach 8
Setting a Hearing on Amending the Zoning & Development Code
CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA							
Subject		Text Amendment – Development Review Process					
Meeting Date		May 15, 2002					
Date Prepared		May 8, 2002			File # TAC-2002- 112		
Author		Bob Blanchard		Community Development Director			
Presenter Name		Bob Blanchard		Community Development Director			
Report results back to Council		X	No		Yes	When	
Citizen Presentation			Yes	X	No	Name	
	Workshop	X	Formal Agenda		X	Consent	Individual Consideration

Summary: The proposed amendments remove the development review process timelines from the Zoning and Development Code and make changes to which development applications require General Meetings.

Budget: N/A

Action Requested/Recommendation: Approval of the text amendment ordinance on 1st reading.

Attachments: Review process flowchart, Expedited review process flowchart

Background Information:

In an effort to bring more predictability to the development review process, to create an atmosphere of coordination between potential applicants and City staff and to address

City staff workload, certain changes are being made to the development review process. The new procedural flowcharts are attached to this staff report.

To assist in the implementation of the new process, the following amendments are proposed to the Zoning and Development Code:

Amendments to Table 2.1, Review Procedures Summary. Revise which applications require General Meetings. General Meetings are typically the first contact a potential developer has with the development review staff and are designed to give an overview of the City's regulations and identify major issues surrounding a potential development. This review is conceptual in nature. Not all applications benefit from a General Meeting. Revisions to this table will limit which applications require a General Meeting.

The text amendments will remove Code references to the review process, especially timelines. This will allow staff to make necessary changes to the process when problem areas are identified. When the process is included in the Code, any changes must go through the public hearing process, including one Planning Commission hearing and two City Council meetings.

In addition to these changes, one addition is proposed that does address the review process. Specifically, a deadline of 90 days after the receipt of staff review comments is established for an applicant to provide a resubmittal of a proposed project. If this deadline is not met, the development application will automatically lapse and become null and void. The Director would be authorized to grant one 30 day extension upon request by the applicant.

STAFF RECOMMENDATION: Staff recommends that the Planning Commission recommend that the City Council approve these proposed amendments to the Zoning and Development Code

PLANNING COMMISSION RECOMMENDATION: The Planning Commission met on May 14, 2002, to review the proposed amendments to the Zoning and Development Code.

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO. ____

AMENDING THE ZONING AND DEVELOPMENT CODE
DEVELOPMENT REVIEW PROCESS

Recitals.

This proposed amendment to the Zoning and Development Code amends the need for a General Meeting for all development applications and removes references to the development review process.

The Planning Commission, at their May 14, 2002 hearing, recommended approval of the amendment.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION THAT:

The Zoning and Development Code be amended to revise the following sections:

2.2 ADMINISTRATIVE DEVELOPMENT PERMITS

B. Common Elements of Procedures. The following procedures apply unless modified by more specific provisions elsewhere. The times for the City to act are maximum number of working days. The Director may shorten any time frame specified herein.

1. General Meeting/Pre-Application Conference.

- (1) a. **General Meeting.** The general meeting allows the applicant to meet informally with the staff to discuss a project and provide feedback and ideas. Based on the detail and information provided, the staff will give direction on the merits, procedures and issues on a proposed project. A General Meeting is not required for all applications. A development application may not be submitted until after the a general meeting is completed, if required by the Director.
- b. **Applicability.** Table 2.1 shows the permits for which a general meeting is required ~~or recommended~~. The Director may waive the general meeting if it is not likely to help the neighborhood or applicant.

2. **Application Requirements.**

- a. **Materials.** Lists of required application materials are available from the Director and are included in the SSID Manual.
- b. **Application Deadlines.** Application deadlines are included in the SSID Manual or by administrative policy.
- c. **Application Fees.** The City Council sets fees to recover some of the costs of processing, publicizing, and reviewing applications. City Council may, by resolution, modify any fee at any Council meeting.
- d. **Completeness.** ~~Within three (3) working days of submission, t~~ The Director shall decide if the application is complete. If the application is not deemed complete, the Director shall notify the applicant and the application shall be returned.

4. **General Procedures.**

- a. The Director shall evaluate each application for compliance with City requirements. The Director shall solicit other agency comment. ~~Typically, the Director's review shall be completed within ten (10) working days, although the Director may take more time if additional information or analysis is required or if work demands require.~~ The Director shall provide his/her comments in writing to the applicant.
- b. The Director may forward copies of the applications to various agencies for their input and review. Such other agencies include:
 - (1) Other City departments;
 - (2) Utilities;
 - (3) Law enforcement;
 - (4) Fire protection agencies;
 - (5) General purpose government;
 - (6) State agencies (e.g., Geologic Survey, Transportation, Natural Resources, Wildlife); and
 - (7) Federal agencies (e.g., Federal Emergency Management Agency, Bureau of Land Management, U.S. Army Corps of Engineers).
- c. ~~Agencies shall be asked to comment/recommend in writing within ten (10) working days. The Director may delay his decision if he/she finds good cause for a delay.~~ Agency review and input is advisory only.
- d. ~~The applicant shall respond within 30 calendar days or the Director may deem the application abandoned. If the applicant asks in writing, the Director may allow up to 60 more days for the applicant to respond to review comments. An application submitted to the City for review must be diligently pursued and processed by the applicant. Accordingly, the applicant, within~~

ninety (90) days of receipt of written comments and notice to respond from the City on any submittal (or subsequent revision to a submittal) of an application for approval of a development plan, shall file such additional or revised submittal documents as are necessary to address comments from the City. If the additional submittal information or revised submittal is not filed within said period of time, the development application shall automatically lapse and become null and void. The Director may grant one (1) extension of the foregoing ninety day requirement not to exceed thirty (30) days in length.

5. **Comments – Time to Respond.**

- a. The Director must approve, approve with conditions, or disapprove all complete applications for an administrative permit.
- b. ~~Within ten (10) working days a~~ After receipt of the applicant's written response to comments/recommendations the Director shall, ~~decide~~ based on the applicable review criteria, approve, approve with conditions or disapprove the application. ~~If the applicant asks, t~~ The Director may give more comments and allow the applicant another additional resubmittals and responses before the Director decides. ~~The Director may approve, but subject to conditions/actions to be taken by applicant, to obtain compliance requirements~~

2.3 PERMITS REQUIRING PUBLIC HEARING

- A. Generally, the procedures for all applications have three (3) elements:
 1. Submittal of a complete application, including payment of fees;
 2. Review by City staff and other agencies; and
 3. A decision.
- B. **Common Elements of Procedures.** The following requirements are common to all application. The time for the City to act are maximums stated in terms of working days. The Director may shorten any time frame specified herein.
 1. **General Meeting.** At a general meeting the applicant discusses the project with City staff in more depth to obtain general feedback and ideas. Based on the amount of detail and information the applicant presents, the staff shall attempt to give direction on a proposed project. After a general meeting a development application may be submitted. ~~The A~~ general meeting is not required for all applications unless the Director waives it because the Code requirements can clearly be met without it. The Director may waive the General Meeting requirement if it is not likely to help the neighborhood or applicant.
 3. **Application Requirements.** The SSID Manual lists what is needed to apply for each type of permit. However, the particulars of a project

may require different types or levels of information. At the pre-application conference, the Director will tell the applicant what information the applicant must supply to begin the assessment of the project. At any time during the process, the Director may require additional information to respond to issues or concerns not discussed at the pre-application conference. The Director will list the requirements/information told to the applicant at the pre-application conference and place the list in the file.

- a. **Application Deadlines.** Important application deadlines are in the SSID Manual or by the Director's written policies.
- b. **Application Fees.** The City Council sets fees in amounts sufficient to recover all or a portion of the taxpayer costs spent processing, giving notice, and reviewing development applications.

Completeness. ~~Within three (3) working days of submission, t~~ The Director shall determine if the application is complete. If it is not complete the Director shall notify the applicant and the application will be returned.

5. **Procedures.**

- a. **Staff Review.** Applications shall be reviewed by City Staff and other appropriate agencies for compliance with City and agency codes and policies. ~~Typically, staff review shall be completed within ten (10) working days of the determination of completeness, although more time may be given if additional information is required.~~ Upon completion of staff review, the staff shall provide its comments in writing to the applicant.
- b. **Review by Other Agencies.** The staff shall forward copies of the applications to appropriate agencies for their comments. Examples of review agencies are:
 - (1) City departments;
 - (2) Telecommunications, gas, electric and other utilities;
 - (3) Irrigation, drainage, water and sewage, sewer provider special districts;
 - (4) School and fire agencies ;
 - (5) Law enforcement ;
 - (6) Mesa County Staff, Planning Commission, or Board of Commissioners;
 - (7) State agencies (e.g., Colorado Geologic Survey, Colorado Department of Transportation, Colorado Department of Natural Resources, Colorado Division of Wildlife, etc.); and
 - (8) Federal agencies (e.g., Federal Emergency Management Agency, Bureau of Land Management, U.S. Army Corps of Engineers, etc.).
- c. **Agency and Department Comments.** ~~Agencies shall respond in writing to the requested review generally within ten (10) working~~

- days. Review agencies may request additional time for review if good cause is shown and if such request is made within the review time. The agencies' review will be advisory in character, and does not constitute approval or disapproval. All comments shall be forwarded to the applicant for response.
- d. **Applicant's Response.** ~~The applicant shall have five (5) calendar days to respond to staff and agency comments. The Director may permit up to an additional sixty (60) calendar days to respond upon a request by the applicant. .~~ An application submitted to the City for review must be diligently pursued and processed by the applicant. Accordingly, the applicant, within ninety (90) days of receipt of written comments and notice to respond from the City on any submittal (or subsequent revision to a submittal) of an application for approval of a development plan, shall file such additional or revised submittal documents as are necessary to address comments from the City. If the additional submittal information or revised submittal is not filed within said period of time, the development application shall automatically lapse and become null and void. The Director may grant one (1) extension of the foregoing ninety day requirement not to exceed thirty (30) days in length.
- e. **Review of Response.** ~~Within five (5) working days of receipt of the applicant's response to comments, the Director~~ City staff and other appropriate agencies shall determine if sufficient information has been provided to schedule the application for a hearing. If the Director deems the application is deemed insufficient for such purposes, he shall notify the applicant shall be notified in writing of the informational deficiencies. The applicant shall be allowed additional resubmittals and responses before the application is scheduled for a hearing.
9. **Public Hearing Procedures.**
- a. **Timing.** ~~If the Director finds an application is complete, he shall schedule it and give proper notice. Normally a public hearing will be scheduled within sixty (60) calendar days after the application is deemed complete.~~ shall schedule an application for hearing only when all issues have been resolved and a determination of compliance with all codes and regulations is made. An applicant has the right to request a hearing at any time during the review process.

TABLE 2.1 REVIEW PROCEDURES SUMMARY

Table 2.1

REVIEW PROCEDURES SUMMARY

Application Process	General Meeting ^{1,2}	Neighborhood Meeting	Acting Body				Notices ²		
			Director	PC	CC	ZBOA	Public	Mail	Sign
ADMINISTRATIVE PERMITS									
Planning Clearance	Ø	-	D	-	-	A	-	-	-
Certificate of Occupancy	-	-	D	-	-	A	-	-	-
Home Occupation	-	-	D	-	-	A	-	-	-
Temporary Use	Ø	-	D	-	-	A	-	-	-
Change of Use	M	-	D	-	-	A	-	-	-
Site Plan Review (Major/Minor)	M (Major Only)	-	D	A	-	-	-	-	-
Fence	-	-	D	-	-	A	-	-	-
Sign	-	-	D	-	-	A	-	-	-
Floodplain Permit	M	-	D	-	-	A	-	-	-

Application Process	General Meeting ^{1,2}	Neighborhood Meeting	Acting Body				Notices ²		
			Director	PC	CC	ZBOA	Public	Mail	Sign
GROWTH PLAN AMENDMENT³									
Text Amendments	M	-	R	R	D	-	M	-	-
Map Amendments	M	M ⁴	R	R	D	-	M	M ⁶	M ⁶
CODE AMENDMENTS									
Zoning Map Amendments	M	M ⁴	R	R	D	-	M	M ⁶	M ⁶
Text Amendments	M	-	R	R	D	-	M	-	-
MAJOR SUBDIVISION									
Concept Plan (optional)	O	O	R ⁸	- D ⁸	-	-	-	-	-
Preliminary Plan not in conjunction with action requiring Council approval	M	M ⁵	R	D ⁷	A	-	M	M	M
Final Plat	M	-	D	A	-	-	-	-	-
Development Improvement Agreements	-	-	D	-	-	-	-	-	-
PLANNED DEVELOPMENT									

Application Process	General Meeting ^{1,2}	Neighborhood Meeting	Acting Body				Notices ²		
			Director	PC	CC	ZBOA	Public	Mail	Sign
ODP (optional)	M	O	R	R	D	-	M	M	M
Preliminary Plan	M	M ^{4,5}	R	R	D	-	M	M	M
Final Plan	M	-	D	A	-	-	-	-	-
Plan Amendments									
Major	M	M ^{4,5}	R	D	A	-	M	M	M
Minor	M	-	D	A	-	-	-	M	-
OTHER APPLICATIONS									
Conditional Use Permit	M	O	R	D	A	-	M	M	M
Historic Preservation	Ø	-	R	-	D	-	M	-	-
Revocable Permit	M	-	R	-	D	-	-	-	-
Zoning of Annexation	M	-	R	-	D	-	M	M ⁶	M ⁶
Simple Subdivision	M	-	D	A	-	-	-	M	-
(Vacation Plat, Easement or Right-of-way)	M	-	R	R	D	-	M	M	M
Variance									
City Council	M	-	R	R	D	-	M	-	-
ZBOA	M	-	R	-	-	D	M	M	M

Application Process	General Meeting ^{1,2}	Neighborhood Meeting	Acting Body				Notices ²		
			Director	PC	CC	ZBOA	Public	Mail	Sign
Vested Rights	M	-	R	R	D	-	M	-	-
Appeal of Director Decisions	Ø	-	-	-	-	D	M	-	-
Institutional & Civic Facility Master Plans	M	M	R	R	D	-	M	M	M

Application Process	General Meeting ^{1,2}	Neighborhood Meeting	Acting Body				Notices ²														
			Director	PC	CC	ZBOA	Public	Mail	Sign												
<p>KEY:</p> <table> <tr> <td>M</td> <td>Mandatory</td> <td>R</td> <td>Review Body</td> </tr> <tr> <td>O</td> <td>Optional/Recommended</td> <td>D</td> <td>Decision Maker</td> </tr> <tr> <td>-</td> <td>No/Not Applicable</td> <td>A</td> <td>Appeal Body</td> </tr> </table> <p>Footnotes:</p> <p>¹ Where required, a General Meeting with City staff must occur before a development application will be accepted. In addition, a Pre-application Conference with City staff is highly recommended for most subdivisions, multifamily, commercial and industrial projects, as the best way to ensure the success of a project.</p> <p>² Some administrative review does require notice. See section 2.2.B.3.</p> <p>³ The Joint City/County Planning Commission decides requests to amend the Growth Plan for unincorporated property in the Urban Area.</p> <p>⁴ A neighborhood meeting is required for Growth Plan amendment or rezoning to a greater intensity/density.</p> <p>⁵ A neighborhood meeting is required if 35 or more dwellings or lots are proposed.</p> <p>⁶ Mailed notice and sign posting is not required for Growth Plan map amendments, rezonings or zoning of annexations relating to more than five percent (5%) of the area of the City and/or related to a Citywide or area plan process.</p> <p>⁷ The Director shall be the decision-maker for non-residential condominium preliminary plans for platting.</p> <p>⁸ The Director may make recommendations. The Planning Commission members should react, comment, question, critique and give direction (Section 2.7).</p> <p>⁹ <u>Even though a General Meeting may not be required, applicants should confer with City staff regarding potential issues with a proposed development and to receive a submittal checklist.</u></p>										M	Mandatory	R	Review Body	O	Optional/Recommended	D	Decision Maker	-	No/Not Applicable	A	Appeal Body
M	Mandatory	R	Review Body																		
O	Optional/Recommended	D	Decision Maker																		
-	No/Not Applicable	A	Appeal Body																		

Introduced on first reading this ____ day of _____, 2002.

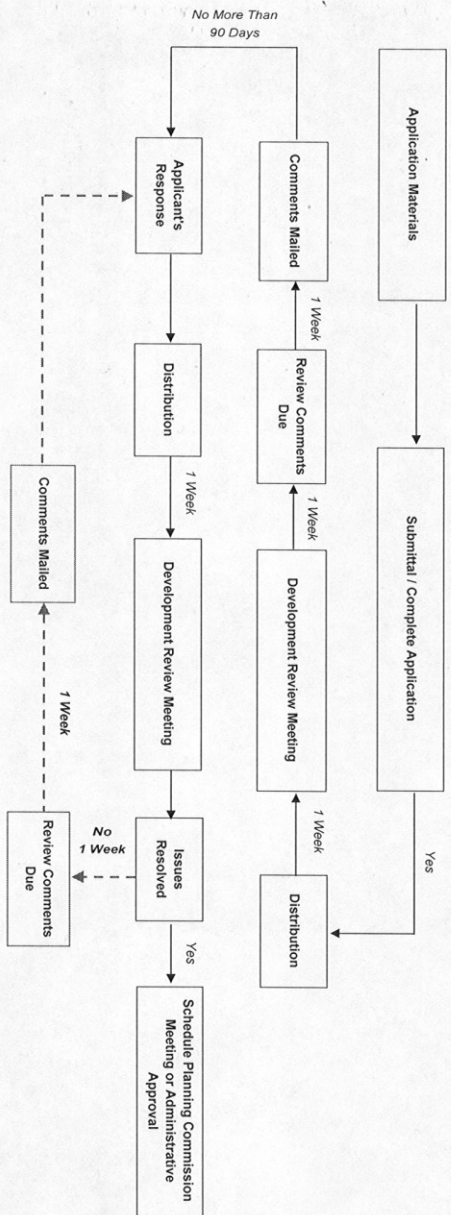
PASSED and ADOPTED on second reading this ____ day of _____, 2002.

ATTEST:

City Clerk

President of the Council

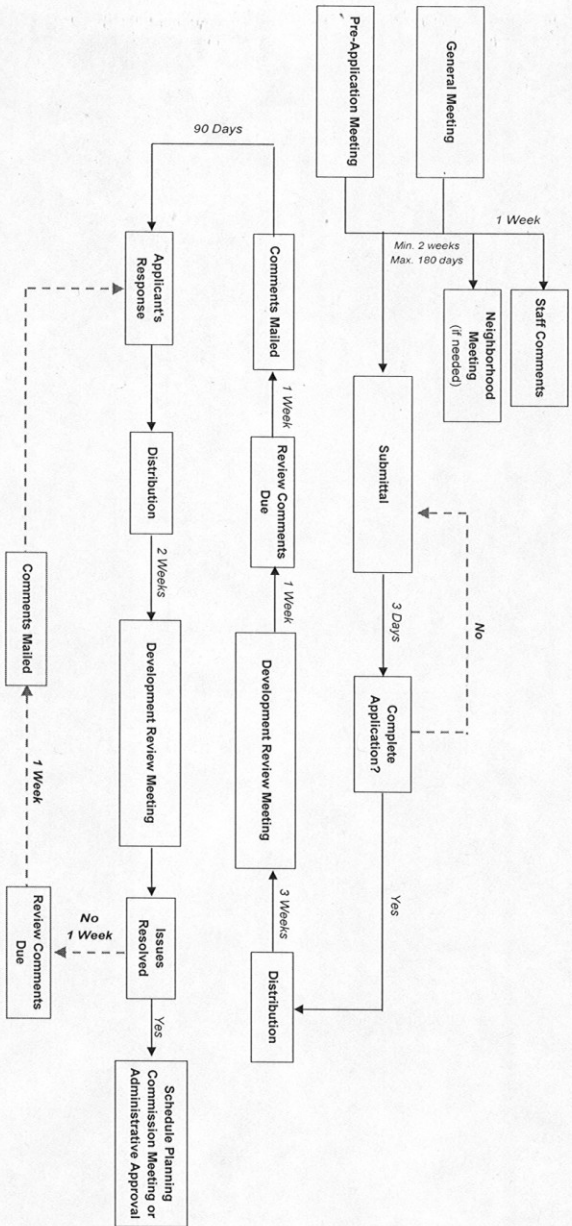
Expedited Review Process



- Expedited Review Applications**
(unless combined with another application)
- Change of Use
 - Site Plan Review (Minor)
 - Floodplain Permit
 - Growth Plan Text Amendment
 - Growth Plan Map Amendment
 - Zoning Map Amendment
 - Zoning Text Amendment
 - Plan Amendment
 - Conditional Use Permit
 - Revocable Permit
 - Zoning of Annexation
 - Simple Subdivision
 - Variance

REVIEW PROCESS

(Applications requiring General/Concept or Planner Meetings)



Applications Requiring General or Planner Meetings
 Site Plan Review (Major)
 Preliminary Plan (Major Subdivision)
 Final Plat
 ODP
 Preliminary Plan (PD)
 Final Plan (PD)
 Vacation Plat, Easement, ROW
 Institutional & Civic Facility Master Plan
 Any Combination Application

Attach 9

Public Hearing – CDBG Action Plan

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA								
Subject	Public Hearing - CDBG 2002 Action Plan, a part of the 2001 Five-Year Consolidated Plan							
Meeting Date	May 15, 2002							
Date Prepared	May 8, 2002					File # N/A		
Author	David Thornton			Principal Planner				
Presenter Name	David Varley			Assistant City Manager				
Report results back to Council	X	No		Yes	When			
Citizen Presentation		Yes	X	No	Name			
	Workshop	X	Formal Agenda			Consent	X	Individual Consideration

Summary: City Council will consider which activities and programs to fund and will prioritize and recommend levels of funding for CDBG projects for the 2002 Program Year.

Budget: CDBG 2002 budget of \$494,000

Action Requested/Recommendation:

Receive public input on the use of the City's 2002 CDBG funds.
Consider the CDBG City Council subcommittee recommendation for funding seven projects for the City's 2002 CDBG Program Year Action Plan.
Set a hearing for final adoption of the CDBG 2002 Action Plan for June 5, 2002.

Attachments:

Summary of requested CDBG projects
History of the City of Grand Junction CDBG Projects 1996 – 2001

Background Information: This is a public hearing to receive input regarding use of the City's annual CDBG Entitlement funds. A second public hearing will be held on June 5, 2002 to adopt the City's 2002 Action Plan as a part of the City's 2001 Five-Year Consolidated Plan.

The City of Grand Junction has received sixteen applications (including Administration) for CDBG projects requesting 2002 CDBG funds. These requests total \$1,507,994 and the City expects to receive \$494,000 for the 2002 Program Year. A summary list of all requested projects is attached along with a brief description of each project and a listing of previous years' funding.

On May 6, 2002 a committee of five Council Members met to discuss the funding requests. This committee recommends that Council fund the projects as recommended on the following page for the 2002 Program Year which begins September 1, 2002.

2002 CDBG PROGRAM YEAR SUMMARY OF REQUESTS AND RECOMMENDED FUNDING

WHO	WHAT	FUNDS REQUESTED	MINIMUM REQUESTED	CC SUBCOMMITTEE RECOMMENDATION
City CDBG Administration	Budget to administer CDBG program	\$50,000	\$50,000	\$50,000
Grand Valley Catholic Outreach	Soup Kitchen Equipment	\$50,000	\$25,000	\$50,000
Western Region Alternative to Placement (WRAP)	Matching funds for client services	\$10,000	Any amount	\$10,000
Homeward Bound of the Grand Valley	Purchase Bunk Beds for Homeless Shelter	\$10,000	\$8,000	\$10,000
Western Slope Center for Children	Interior Remodel and Renovation	\$130,000	\$50,000	\$101,280
GJ Housing Authority	Predevelopment/ Planning and Engineering for Affordable Housing	\$41,720	\$40,320	\$41,720
City of Grand Junction (Public Works)	Bass Street Drainage Improvements	\$231,000	\$231,000	\$231,000
CO West Mental Health	Equipment for Job Training and Employment	\$18,885	\$8,000	\$0
Center for Independence	Purchase new 14 passenger van	\$55,000	\$50,000	\$0
Food Bank of the Rockies	Food Distribution	\$10,000	\$2,500	\$0
Counseling and Education Center	Parking Lot Construction	\$24,266	\$19,250	\$0
Western CO Aids Project	Accessibility improvements	\$2,123	\$2,123	\$0
Marillac Clinic	Dental Clinic Expansion and Relocation	\$75,000	\$75,000	\$0
City of Grand Junction (Public Works)	El Poso Neighborhood Street Improvements – phase I	\$250,000	\$250,000	\$0
City of Grand Junction (Public Works)	Orchard Mesa Drainage Realignment – phase I	\$250,000	\$250,000	\$0
City of Grand Junction (Public Works)	El Poso Storm Drain Outfall Enlargement –	\$300,000	\$300,000	\$0

Works)	phase I			
	TOTAL	\$1,507,994	\$1,361,193	\$494,000

FUNDS AVAILABLE = \$494,000

SUMMARY OF REQUESTED CDBG PROJECTS

City of Grand Junction 2002 Program Year

City of Grand Junction CDBG Program Administration

This pays for the annual costs to administer the CDBG program. HUD guidelines allow up to 20% for Administration. Staff is requesting 10% of the funds be allocated to administration.

Funds being requested are \$50,000

Minimum requested \$8,000

Grand Valley Catholic Outreach –Equipment/Materials for Soup Kitchen

relocation – The Soup Kitchen is moving to a new expanded location allowing them to serve more people in need. Completion date is December 2002. Funds would be used to purchase equipment and materials such as a food processor, food mixer, food slicer, 30 tables and 120 chairs, two preparation tables, dishwasher with drying counters, walk in cooler, walk in freezer, and cabinetry

Funds being requested are \$50,000

Minimum requested \$25,000

Western Region Alternative to Placement (WRAP) – Matching fund dollars for

State funding - This request is to match state funds, dollar for dollar up to \$10,000, for the WRAP program. All funds will provide client services to avoid out of home placement for youth, maintain youth at the lowest level of care and to support family unification.

Funds being requested are \$10,000

Minimum requested \$Any Amount

Homeward Bound of the Grand Valley, Inc. – Bunk beds for the Community

Homeless Shelter - This request is to fund the purchase of bunk beds to increase the number of beds in the homeless shelter.

Funds being requested are \$10,000

Minimum requested \$8,000

Western Slope Center for Children – Interior Remodel/Renovation – Funds to be used to remodel and renovate the interior to create interview and exam rooms, and remodel two kitchens and bathrooms. In addition, a washer and dryer will be added. An exterior deck and exterior siding will be renovated or replaced. The parking lot will be resurfaced and an outdoor play area for children will be constructed.

Funds being requested are \$130,000

Minimum requested \$50,000

Grand Junction Housing Authority – Predevelopment design of Affordable

Housing project – Predevelopment/Design/Market Analysis & Engineering Costs for affordable housing on GJ Housing Authority's vacant property at 276 Linden Avenue.

Total funds being requested are \$41,720

Minimum requested \$40,320

City of Grand Junction – Bass Street Drainage Improvement Project - The purpose of this project is to construct a new storm drain in Bass Street to prevent flooding of the West Lake Mobile Home Park caused by storm runoff from up stream drainage basins. This project will include installation of a new 30 inch storm drain pipe in Bass Street from Independent Avenue to West Hall Avenue (approximately 900 feet) and elevating the crown in Bass Street to contain storm water on the east side of the street. The proposed storm drain will collect storm runoff entering Bass Street from the east and convey it to a 48 inch storm drain recently installed in Independent Avenue.

Funds being requested are \$231,000

Minimum requested \$231,000

Colorado West Mental Health – Equipment for Job Training and Employment – Production Services is a program of Colorado West Mental Health in which adult clients of Colorado West receive job training, job coaching and employment. CDBG funding would be used to purchase equipment such as automotive tools, lawn care equipment, pressure washer and wet/dry vacuum, photocopier, and paper shredder for clients to perform jobs.

Funds being requested are \$18,885

Minimum requested \$8,000

Center for Independence – Equipment (new 14-passenger van) – Funds to be used to purchase a new 14 seat (4 wheel chair accessible) van with towing package to transport clients.

Funds being requested are \$55,000

Minimum requested \$50,000

Food Bank of the Rockies – Distribution of Donated Foods – Funds to be used to transport, sort and distribute food product to agencies helping Grand Junction residents.

Total funds being requested are \$10,000

Minimum requested \$2,500

Counseling and Education Center (CEC) – Parking Lot Improvements/ Construction. Funds to be used for a 24 space parking lot and landscaping construction for the CEC facility at their location at 2708 Patterson Road.

Funds being requested are \$24,266

Minimum requested \$19,250

Western Colorado Aids Project (WestCAP) – Installation of a handicap door opener – CDBG funds will be used to purchase and install a Horton 7000 Handicap operator on the existing front door of the Dalby Wendland office building at 115 North 5th Street, in which WestCAP is located and provides client services.

Funds being requested are \$2,123

Minimum requested \$2,123

Marillac Clinic – Dental Clinic Expansion/Relocation at 2333 North 6th Street. The funding would assist in the relocation and expansion of Marillac’s Dental Clinic.

Funds being requested are \$75,000
 Minimum requested \$75,000

City of Grand Junction – El Poso Neighborhood Street/Infrastructure

Improvements Phase I – Residents of the El Poso Neighborhood contacted City staff to request street and infrastructure improvements in their neighborhood. The scope of work includes the reconstruction of eight streets to City of Grand Junction *Residential Street Standards*. Proposed improvements include curb, gutter and sidewalk, storm drains, re-grading and paving. The first phase of the project will reconstruct West Grand Avenue from Maldonado Street to Peach Street (approx. 840 feet in length). Other phases of the project would be constructed, as funding becomes available. Total project funding is \$1,795,000.

Funds being requested are \$250,000 (Phase I)
 Minimum requested \$250,000

City of Grand Junction – Orchard Mesa Drainway Realignment Project – This project has been identified in the Grand Valley Stormwater Management Master Plan, 1998. The purpose of this project is to relocate and enlarge a section of the Orchard Mesa Drain-way to prevent flooding of residential and commercial properties located in a four-block area from Linden Street to Aspen Street and between Highway 50 and Unawep Avenue. Other phases of the project would be constructed, as funding becomes available. Total project funding is \$473,600.

Funds being requested are \$250,000 (Phase I)
 Minimum requested \$250,000

City of Grand Junction – El Poso Storm Drain Outfall Enlargement – This project has been identified in the *Combined Sewer Separation & Stormwater Master Plan, December 1998*. The purpose of the project is to enlarge an existing storm drain that conveys stormwater from a drainage basin located east of 1st Street to the Colorado River. Proposed improvements include construction of a new 48 inch storm drain from the Colorado River to Mulberry Street and a 30 inch storm drain from Mulberry Street to 1st Street. These improvements would convey major storm flows to the Colorado River and prevent flooding of streets and private properties. Other phases of the project will be constructed, as funding becomes available. Total project funding is \$674,000.

Funds being requested are \$300,000 (Phase I)
 Minimum requested \$300,000

GRAND TOTAL REQUESTED	\$1,507,994
GRAND TOTAL REQUESTED	\$1,507,994
MINIMUM REQUESTED	\$1,361,193

2002 CDBG FUNDS TO BE RECEIVED

\$494,000

History of the City of Grand Junction CDBG Projects 1996 - 2001

1996 Program Year

Project 96-2 **Habitat for Humanity** acquired four (4) residential lots in the Helena Subdivision on Orchard Mesa. \$80,000
Project 96-3 **Catholic Outreach** Homeless Day Center at 302 Pitkin Avenue - \$30,000
Project 96-4 **CDBG Administration** Costs \$44,000
Project 96-5 **GJ Housing Authority** acquisition of Lincoln Apartments for use as low/moderate income housing. \$330,000
1996 CDBG GRANT TOTAL \$484,000

1997 Program Year

Project 97-1 **Catholic Outreach** Homeless Day Center at 302 Pitkin Avenue - \$10,000
Project 97-2 **Marillac Clinic** Elevator, Handicap Accessible Bathroom and Exterior Stucco Construction at 2333 North 6th Street. \$90,000
Project 97-3 **City of GJ** South Avenue Reconstruction -5th to 7th Street. \$330,000
Project 97-4 **CDBG Administration** Costs \$47,000

1998 Program Year

Project 98-1 **Catholic Outreach** Homeless Day Center at 302 Pitkin Ave - \$17,131
Project 98-2 **Colorado West Mental Health** Transitional Living Center for adults between 18 and 21 with mental health issues. \$25,000
Project 98-3 **Salvation Army** Hope House Shelter (transitional housing) for women and children. \$25,000
Project 98-4 **Mesa Developmental Services** Group Home Rehabilitation Project. \$200,000
Project 98-5 **City of GJ** Elm Avenue sidewalk and Drainage improvements between 15th Street and 28 Road. \$151,855
Project 98-6 **CDBG Administration** Costs \$50,014
1998 CDBG GRANT TOTAL \$469,000

1999 Program Year

Project 99-1 **GJ Housing Authority** Community Homeless Shelter (Acquisition) - \$205,000
Project 99-2 **Catholic Outreach** Homeless Day Center – \$16,000
Project 99-3 **Salvation Army** Hope House Shelter - \$25,000
Project 99-4 **City of GJ** Riverside Neighborhood Drainage Improvements Project Phase I. \$200,000
Project 99-5 **CDBG Administration** costs - \$26,000
1999 CDBG GRANT TOTAL \$472,000

2000 Program Year

Project 2000-1 **Catholic Outreach** Acquisition of Homeless Day Center at 302 Pitkin Avenue. \$130,000

Project 2000-2 **The Energy Office** Linden Building Rehabilitation project at 1838, 1840, 1842, 1844, 1846 and 1848 Linden Avenue, 12 rental units for low/moderate income persons. \$55,000

Project 2000-3 **City of GJ** Riverside Drainage phase II. \$200,000

Project 2000-4 **Headstart** Classroom/Family Center Construction at 134 West Avenue. \$104,000

2000 CDBG GRANT TOTAL \$489,000

2001 Program Year

Project 2001-1 **The Energy Office** Affordable Housing Acquisition and Preservation Project - Acquire Garden Village Apts. (91 affordable units) and preserve them as permanent affordable rental housing. \$200,000

Project 2001-2 **Catholic Outreach** Transitional Housing services - Project will serve 15 individuals and 2 families who are homeless for a period of 12 to 24 months and provide a link to all resources in the community to aid them in making a successful transition to permanent housing. \$10,000

Project 2001-3 **Habitat For Humanity** Infrastructure for Camelot Garden Subdivision – Infrastructure construction in the 1.6 acre 11 lot Camelot Gardens Subdivision. \$39,000

Project 2001-4 **Marillac Clinic** – Dental Clinic Expansion/Relocation at 2333 North 6th Street. \$200,000

Project 2001-5 **Mesa Youth Services, Inc., Partners** – Parking lot and landscaping construction for Partners Activity Center at 12th Street and Colorado Avenue. \$15,000

Project 2001-6 **Mesa Developmental Services** – Barrier Free Lift System (a ceiling mounted motorized track system for mobility of patients) and an Arjo Tub (a hydrosonic bathtub used for therapeutic values) at an Accessible Group Home at 1444 North 23rd Street. \$40,000

2001 CDBG GRANT TOTAL \$504,000

TOTAL CDBG DOLLARS ALLOCATED = \$3,399,000

AVAILABLE CDBG DOLLARS FOR 2002 = \$494,000

Attach 10

Public Hearing – Larson Annexation

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA								
Subject	Larson Annexation, Located at 2919/2921 B ½ Road							
Meeting Date	May 15, 2002							
Date Prepared	May 7, 2002				File # ANX-2002-054			
Author	Pat Cecil			Development Services Supervisor				
Presenter Name	Pat Cecil			Development Services Supervisor				
Report results back to Council	X	No		Yes	When			
Citizen Presentation		Yes	X	No	Name			
	Workshop	X	Formal Agenda			Consent	X	Individual Consideration

Summary: The annexation consists of annexing 13.562 acres of land including portions of the 29 Road, B Road and B 1/2 Road rights-of-way. The property owners have requested annexation in conjunction with a preliminary plan application.

Budget: N/A

Action Requested/Recommendation: Approve the resolution accepting the Larson Annexation petition and adopt the Larson Annexation Ordinances.

Attachments:

1. Staff report/background information
2. Annexation Maps (4)
3. Resolution of Referral of Petition
4. Annexation Ordinances (3)

Background Information: See attached Staff Report/Background Information

STAFF REPORT/BACKGROUND INFORMATION:

Location:		2919/2921 B ½ Road			
Applicants:		Rochelle and Daryl Mitchel Larson			
Existing Land Use:		Residential			
Proposed Land Use:		Residential subdivision			
Surrounding Land Use:	North	Residential/Agricultural			
	South	Residential			
	East	Residential/Agricultural			
	West	Residential /Agricultural			
Existing Zoning:		RSF-R (AFT) in County			
Proposed Zoning:		RSF-4			
Surrounding Zoning:	North	AFT (County)			
	South	RSF-4 (County)			
	East	RSF-R (County)			
	West	RSF-4 (County)			
Growth Plan Designation:		Residential Medium 4-8 (Orchard Mesa Plan)			
Zoning within density range?		X	Yes		No

Staff Analysis:

ANNEXATION:

This annexation area consists of annexing 13.562 acres of land including portions of the 29 Road, B Road and B 1/2 Road rights-of-way. The property owners have requested annexation into the City as the result of needing a rezone in the County to subdivide. Under the 1998 Persigo Agreement all rezones require annexation and processing in the City.

It is staff's professional opinion, based on review of the petition and knowledge of applicable state law, including the Municipal Annexation Act Pursuant to C.R.S. 31-12-104, that the Larson Annexation is eligible to be annexed because of compliance with the following:

- a) A proper petition has been signed by more than 50% of the owners and more than 50% of the property described;
- b) Not less than one-sixth of the perimeter of the area to be annexed is contiguous with the existing City limits;
- c) A community of interest exists between the area to be annexed and the City. This is so in part because the Central Grand Valley is essentially a single demographic and economic unit and occupants of the area can be expected to, and regularly do, use City streets, parks and other urban facilities;
- d) The area is or will be urbanized in the near future;
- e) The area is capable of being integrated with the City;
- f) No land held in identical ownership is being divided by the proposed annexation;
- g) No land held in identical ownership comprising 20 contiguous acres or more with an assessed valuation of \$200,000 or more for tax purposes is included without the owners consent.

The following annexation and zoning schedule is being proposed.

<i>ANNEXATION SCHEDULE</i>	
April 3 rd	Referral of Petition (30 Day Notice), First Reading, Exercising Land Use
April 9 th	Planning Commission considers Zone of Annexation
May 1 st	First Reading on Zoning by City Council
May 15 th	Acceptance of Petition and Public hearing on Annexation and Zoning by City Council
June 16 th	Effective date of Annexation and Zoning

<i>LARSON ANNEXATION SUMMARY</i>	
File Number:	ANX-2002-054
Location:	2919/2921 B ½ Road
Tax ID Number:	2943-293-00-130, 140 & 142
Parcels:	3
Estimated Population:	2
# of Parcels (owner occupied):	1
# of Dwelling Units:	1
Acres land annexed:	13.562 Acres for annexation area
Developable Acres Remaining:	7.78 Acres

Right-of-way in Annexation:		See Map
Previous County Zoning:		RSF-R (County)
Proposed City Zoning:		RSF-4
Current Land Use:		One family residence
Future Land Use:		Residential subdivision
Values:	Assessed:	= \$125540
	Actual:	= \$12240
Census Tract:		12
Address Ranges:		2917 through 2929, odd numbers only
Special Districts:	Water:	Ute
	Sewer:	Orchard Mesa Sanitation
	Fire:	GJ Rural Fire District
	Drainage:	Orchard Mesa
	School:	District 51
	Pest:	N/A

The preliminary plan that accompanied the annexation has not been referred to the Planning Commission for review due to development issues that still need to be resolved.

LARSON ANNEXATIONS No. 1-3

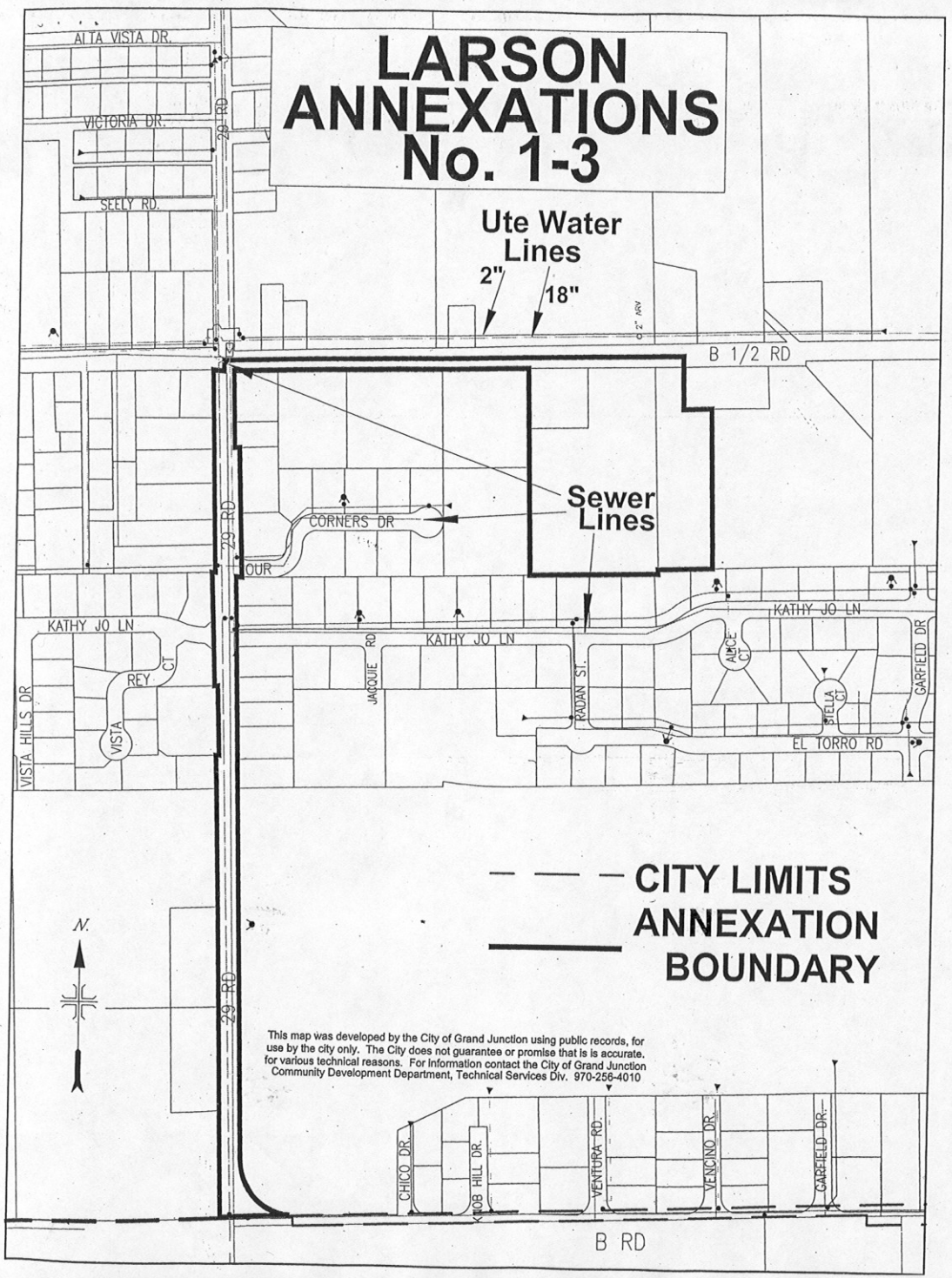
Ute Water
Lines

2"
18"

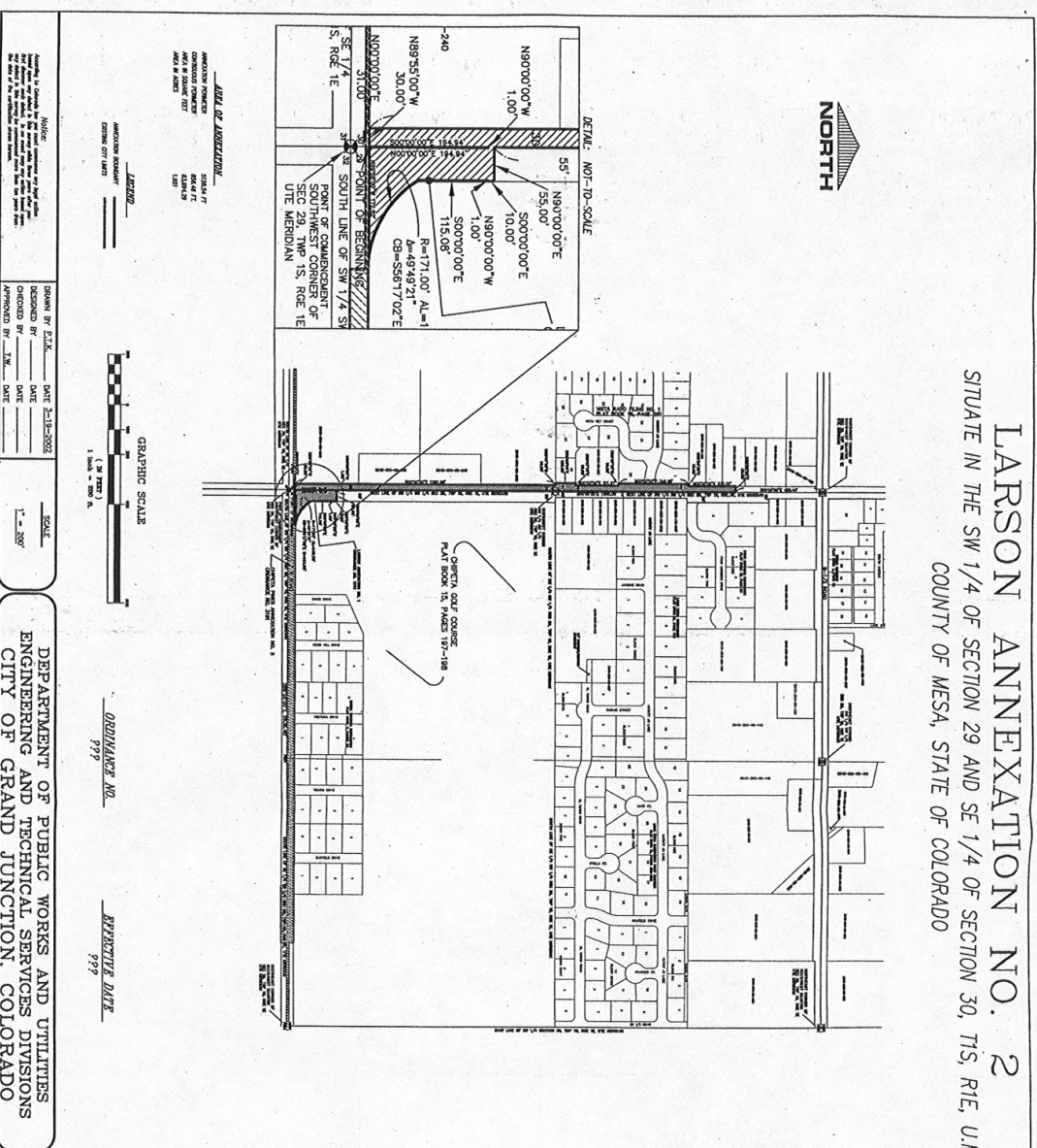
Sewer
Lines

--- CITY LIMITS
ANNEXATION
BOUNDARY

This map was developed by the City of Grand Junction using public records, for use by the city only. The City does not guarantee or promise that it is accurate, for various technical reasons. For information contact the City of Grand Junction Community Development Department, Technical Services Div. 970-258-4010



LARSON ANNEXATION NO. 2
 SITUATE IN THE SW 1/4 OF SECTION 29 AND SE 1/4 OF SECTION 30, T1S, R1E, U1M.
 COUNTY OF MESA, STATE OF COLORADO



LEGAL DESCRIPTION

A certain portion of land being in the Southwest Quarter (SW 1/4) of Section 29 and the Southeast Quarter (SE 1/4) of Section 30, Township 1 South, Range 1 East, U1M, of the Principal Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

Commence at the Southeast corner of said Section 29 and extending to the West line of said Section 29 a distance of 66.66 feet to a point of beginning considered to be the Southeast corner of said Section 29 and extending thence North 10.00 degrees 00' 00\"/>

RESOLUTION NO. ____-02

**A RESOLUTION ACCEPTING PETITIONS
FOR THE ANNEXATION, MAKING CERTAIN FINDINGS, DETERMINING THAT
PROPERTY KNOWN AS THE**

LARSON ANNEXATION

**(A serial Annexation comprising of
Larson Annexation No's 1, 2 and 3)**

IS ELIGIBLE FOR ANNEXATION

**LOCATED at 2919/2921 B ½ Road and containing portions of the B ½ Road, B
Road and 29 Road rights-of-way.**

WHEREAS, on the 3rd day of April, 2002, a petition was referred to the City Council of the City of Grand Junction, Colorado, for annexation to said City of the following property situate in Mesa County, Colorado, and described as follows:

**LARSON ANNEXATION NO. 1
DESCRIPTION**

A certain parcel of land lying in the Southwest Quarter (SW ¼) of Section 29 and the Southeast Quarter (SE ¼) of Section 30, Township 1 South, Range 1 East of the Ute Principal Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

COMMENCING at the Southwest corner of said Section 29, and considering the West line of the SW ¼ of said Section 29 to bear N 00°00'00" E with all bearings contained herein being relative thereto, thence N 00°00'00" E along the West line of the SW ¼ of said Section 29 a distance of 30.00 feet to the TRUE POINT OF BEGINNING; thence from said Point of Beginning, N 89°55'00" W along a line 30.00 feet North of and parallel with, the South line of the SE ¼ of said Section 30, a distance of 30.00 feet to a point on the West right of way for 29 Road; thence N 00°00'00" E, along said West right of way, a distance of 1.00 feet; thence S 89°55'00" E along a line 31.00 feet North of and parallel with the South line of the SE ¼ of said Section 30, a distance of 30.00 feet to a point on the West line of the SW ¼ of said Section 29; thence N 00°00'00" E, along the West line of the SW ¼ of said Section 29, a distance of 194.94 feet; thence leaving said West line, N 90°00'00" East a distance of 1.00 feet; thence S 00°00'00" E along a line 1.00 East of and parallel with the West line of the SW ¼ of said Section 29, a distance of 194.94 feet; thence S 89°58'00" E along a line 31.00 feet North of and parallel with the South line of the SW ¼ of said Section 29, a distance of 172.82 feet to a point being the beginning of a 171.00 foot radius non-tangent curve, concave

Northeast, said curve being a line 1.00 Southwest west of and parallel with the existing right of way for 29 Road as shown on the Plat of Chipeta Golf Course, Plat Book 15, Pages 197 and 198, Public Records of Mesa County, Colorado; thence 148.70 feet Northwesterly along the arc of said curve, through a central angle of 49°49'21" and having a long chord bearing of N 56°17'02" W with a long chord length of 144.06 feet; thence N 00°00'00" E along a line 54.00 feet East of and parallel with the West line of the SW ¼ of said Section 29, a distance of 115.08 feet; thence N 90°00'00" E a distance of 1.00 feet to a point on the East right of way for 29 Road, as same is shown on said Plat of Chipeta Golf Course; thence S 00°00'00" E, along said East right of way, a distance of 114.80 feet to a point being the beginning of a 170.00 foot radius non-tangent curve, concave Northeast, as same is shown on said Plat of Chipeta Golf Course; thence 173.57 feet Southeasterly along the arc of said curve, through a central angle of 58°29'59" and having a long chord bearing of S 60°43'01" E with a long chord length of 166.13 feet to a point on the Northerly right of way for B Road, as shown on said Plat of Chipeta Golf Course; thence N 89°58'00" W along a line 30.00 feet North of and parallel with the South line of the SW ¼ of said Section 29, a distance of 199.90 feet, more or less, to the Point of Beginning.

CONTAINING 1377.76 Square Feet or 0.015 Acres, more or less, as described.

LARSON ANNEXATION NO. 2 DESCRIPTION

A certain parcel of land lying in the Southwest Quarter (SW ¼) of Section 29 and the Southeast Quarter (SE ¼) of Section 30, Township 1 South, Range 1 East of the Ute Principal Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

COMMENCING at the Southwest corner of said Section 29, and considering the West line of the SW ¼ of said Section 29 to bear N 00°00'00" E with all bearings contained herein being relative thereto, thence N 00°00'00" E along the West line of the SW ¼ of said Section 29 a distance of 31.00 feet to the TRUE POINT OF BEGINNING; thence from said Point of Beginning, N 89°55'00" W along a line 31.00 feet North of and parallel with, the South line of the SE ¼ of said Section 30, a distance of 30.00 feet to a point on the West right of way for 29 Road; thence N 00°00'00" E, along said West right of way, a distance of 1280.95 feet to a point on the Easterly extension of the South line of Vista Rado Filing No. 1, as same is recorded in Plat Book 16, Page 281, Public Records of Mesa County, Colorado; thence N 89°47'15" W along the South line of said Vista Rado Filing No. 1, a distance of 10.00 feet to a point being the Southwest corner of Lot 30 of said Vista Rado Filing No. 1; thence N 00°00'00" E along a line 40.00 feet West of and parallel with the West line of the SW ¼ of said Section 29 and the West line of said Lot 30, a distance of 100.00 feet; thence S 89°47'15" E a distance of 10.00 feet; thence N 00°00'00" E along a line 30.00 feet West of and parallel with the West

line of the SW $\frac{1}{4}$ of said Section 29, a distance of 211.97 feet; thence N $89^{\circ}47'15''$ W a distance of 10.00 feet to a point being the Southwest corner of Lot 29 of said Vista Rado Filing No. 1; thence N $00^{\circ}00'00''$ E along a line 40.00 feet West of and parallel with the West line of the SW $\frac{1}{4}$ of said Vista Rado Filing No. 1, a distance of 348.85 feet, more or less, to a point on the North line of said Vista Rado Filing No. 1; thence S $89^{\circ}34'38''$ E along the Easterly extension of the North line of said Vista Rado Filing No. 1, a distance of 10.00 feet; thence N $00^{\circ}00'00''$ E along a line 30.00 feet West of and parallel with the West line of the SW $\frac{1}{4}$ of said Section 29, a distance of 230.22 feet; thence N $90^{\circ}00'00''$ E a distance of 30.00 feet to a point on the West line of the SW $\frac{1}{4}$ of said Section 29; thence S $00^{\circ}00'00''$ E along said West line, a distance of 1965.06 feet; thence N $90^{\circ}00'00''$ E a distance of 55.00 feet to a point on the East right of way for 29 Road, as same is shown on the Plat of Chipeta Golf Course, as same is recorded in Plat Book 15, Pages 197 and 198, Public Records of Mesa County, Colorado; thence S $00^{\circ}00'00''$ E, along said East right of way, a distance of 10.00 feet; thence N $90^{\circ}00'00''$ W a distance of 1.00 feet; thence S $00^{\circ}00'00''$ E, along a line 54.00 feet East of and parallel with the West line of the SW $\frac{1}{4}$ of said Section 29, a distance of 115.08 feet to a point being the beginning of a 171.00 foot radius non-tangent curve, concave Northeast; thence 148.70 feet Southeasterly along the arc of said curve, through a central angle of $49^{\circ}49'21''$, having a long chord bearing of S $56^{\circ}17'02''$ E with a long chord length of 144.06 feet; thence N $89^{\circ}58'00''$ W along a line 31.00 feet North of and parallel with the South line of the SW $\frac{1}{4}$ of said Section 29, a distance of 172.82 feet; thence N $00^{\circ}00'00''$ E along a line 1.00 feet East of and parallel with the West line of the SW $\frac{1}{4}$ of said Section 29, a distance of 194.94 feet; thence N $90^{\circ}00'00''$ W a distance of 1.00 feet to a point on the West line of the SW $\frac{1}{4}$ of said Section 29; thence S $00^{\circ}00'00''$ E along the West line of the SW $\frac{1}{4}$ of said Section 29, a distance of 194.94 feet, more or less, to the Point of Beginning.

CONTAINING 83,694.29 Square Feet or 1.921 Acres, more or less, as described.

LARSON ANNEXATION NO. 3 DESCRIPTION

A certain parcel of land lying in the Southwest Quarter (SW $\frac{1}{4}$) of Section 29 and the Southeast Quarter (SE $\frac{1}{4}$) of Section 30, Township 1 South, Range 1 East of the Ute Principal Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

COMMENCING at the Southwest corner of said Section 29, and considering the West line of the SW $\frac{1}{4}$ of said Section 29 to bear N $00^{\circ}00'00''$ E with all bearings contained herein being relative thereto, thence N $00^{\circ}00'00''$ E along the West line of the SW $\frac{1}{4}$ of said Section 29 a distance of 235.94 feet to the TRUE POINT OF BEGINNING; thence

from said Point of Beginning, continue N 00°00'00" E along the West line of the SW ¼ of said Section 29 a distance of 1965.06 feet; thence leaving said West line, N 90°00'00" W a distance of 30.00 feet to a point on the West right of way for 29 Road; thence N 00°00'00" E along said West right of way a distance of 400.51 feet; thence S 89°53'00" E along a line 30.00 feet South of and parallel with the North line of the SE ¼ of said Section 30, a distance of 30.00 feet to a point on the West line of the SW ¼ of said Section 29; thence N 00°00'00" E along said West line a distance of 30.00 feet to a point being the Northwest corner of the SW ¼ of said Section 29; thence leaving said North line, N 90°00'00" E along the North line of the SW ¼ of said Section 29 a distance of 1406.58 feet; thence S 00°00'12" W a distance of 165.00 feet; thence N 90°00'00" E a distance of 79.78 feet; thence S 00°00'12" W a distance of 494.01 feet, more or less, to a point on the North line of Loma Linda Subdivision First Addition, as same is recorded in Plat Book 11, Pages 322 and 323, Public Records of Mesa County, Colorado; thence S 89°57'43" W along said North line a distance of 166.63 feet; thence S 00°00'51" W a distance of 10.58 feet; thence N 90°00'00" W along the North line of said Loma Linda Subdivision First Addition and the North line of Loma Linda Subdivision, as same is recorded in Plat Book 11, Page 195, Public Records of Mesa County, Colorado, a distance of 389.61 feet; thence N 00°01'24" W a distance of 639.70 feet; thence N 90°00'00" W along a line 30.00 feet South of and parallel with the North line of the SW ¼ of said Section 29, a distance of 260.12 feet; thence S 00°00'00" E a distance of 10.00 feet; thence N 90°00'00" W along a line 40.00 feet South of and parallel with the North line of the SW ¼ of said Section 29, a distance of 291.36 feet; thence N 00°00'00" E a distance of 10.00 feet; thence N 90°00'00" W along a line 30.00 feet South of and parallel with the North line of the SW ¼ of said Section 29, a distance of 348.34 feet to a point on the East right of way for 29 Road; thence S 00°00'00" E along said East right of way and being a line 30.00 feet East of and parallel with the West line of the SW ¼ of said Section 29, a distance of 234.00 feet; thence S 90° 00'00" E along the Westerly extension of the North line of Lot 1, Plat of Four Corners Subdivision, as same is recorded in Plat Book 12, Page 53, Public Records of Mesa County, Colorado, a distance of 20.00 feet; thence S 00°00'00" E along the West line of said Four Corners Subdivision, a distance of 405.70 feet to a point on the South line of said Four Corners Subdivision; thence N 90°00'00" W along the Westerly extension of the South line of said Four Corners Subdivision, a distance of 20.00 feet; thence S 00°00'00" E along the East right of way for 29 Road and being a line 30.00 feet East of and parallel with the West line of the SW ¼ of said Section 29, a distance of 650.26 feet to a point on the South line of the Northwest Quarter of the Southwest Quarter (NW ¼ SW ¼) of said Section 29, as same is shown on said Loma Linda Subdivision; thence N 89°55'26" E, along said South line, a distance of 25.00 feet; thence S 00°00'00" E along the East right of way for 29 Road, being a line 55.00 feet East of and parallel with the West line of the SW ¼ of said Section 29, as same is shown on the Plat of Chipeta Golf Course, as same is recorded in Plat Book 15, Pages 197 and 198, Public Records of Mesa County, Colorado, a distance of 1075.58 feet; thence N 90°00'00" W a distance of 55.00 feet, more or less, to the Point of Beginning.

CONTAINING 506,469.85 square feet or 11.626 acres, more or less, as described.

WHEREAS, a hearing on the petition was duly held after proper notice on the 15th day of May, 2002; and

WHEREAS, the Council has found and determined and does hereby find and determine that said petition is in substantial compliance with statutory requirements therefor; that one-sixth of the perimeter of the area proposed to be annexed is contiguous with the City; that a community of interest exists between the territory and the City; that the territory proposed to be annexed is urban or will be urbanized in the near future; that the said territory is integrated or is capable of being integrated with said City; that no land held in identical ownership has been divided without the consent of the landowner; that no land held in identical ownership comprising more than twenty acres which, together with the buildings and improvements thereon, has an assessed valuation in excess of two hundred thousand dollars is included without the landowner's consent; and that no election is required under the Municipal Annexation Act of 1965.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION THAT:

The said territory is eligible for annexation to the City of Grand Junction, Colorado, and should be so annexed by Ordinance.

ADOPTED this 15th day of May, 2002.

Attest:

President of the Council

City Clerk

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

**AN ORDINANCE ANNEXING TERRITORY TO THE
CITY OF GRAND JUNCTION, COLORADO**

LARSON ANNEXATION No. 1

APPROXIMATELY 0.015 ACRES

LOCATED in the B Road and 29 Road rights-of-way

WHEREAS, on the 3rd day of April, 2002, the City Council of the City of Grand Junction considered a petition for the annexation of the following described territory to the City of Grand Junction; and

WHEREAS, a hearing on the petition was duly held after proper notice on the 15th day of May, 2002; and

WHEREAS, the City Council determined that said territory was eligible for annexation and that no election was necessary to determine whether such territory should be annexed;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION, COLORADO:

That the property situated in Mesa County, Colorado, and described to wit:

A certain parcel of land lying in the Southwest Quarter (SW ¼) of Section 29 and the Southeast Quarter (SE ¼) of Section 30, Township 1 South, Range 1 East of the Ute Principal Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

COMMENCING at the Southwest corner of said Section 29, and considering the West line of the SW ¼ of said Section 29 to bear N 00°00'00" E with all bearings contained herein being relative thereto, thence N 00°00'00" E along the West line of the SW ¼ of said Section 29 a distance of 30.00 feet to the TRUE POINT OF BEGINNING; thence from said Point of Beginning, N 89°55'00" W along a line 30.00 feet North of and parallel with, the South line of the SE ¼ of said Section 30, a distance of 30.00 feet to a

point on the West right of way for 29 Road; thence N 00°00'00" E, along said West right of way, a distance of 1.00 feet; thence S 89°55'00" E along a line 31.00 feet North of and parallel with the South line of the SE ¼ of said Section 30, a distance of 30.00 feet to a point on the West line of the SW ¼ of said Section 29; thence N 00°00'00" E, along the West line of the SW ¼ of said Section 29, a distance of 194.94 feet; thence leaving said West line, N 90°00'00" East a distance of 1.00 feet; thence S 00°00'00" E along a line 1.00 East of and parallel with the West line of the SW ¼ of said Section 29, a distance of 194.94 feet; thence S 89°58'00" E along a line 31.00 feet North of and parallel with the South line of the SW ¼ of said Section 29, a distance of 172.82 feet to a point being the beginning of a 171.00 foot radius non-tangent curve, concave Northeast, said curve being a line 1.00 Southwest west of and parallel with the existing right of way for 29 Road as shown on the Plat of Chipeta Golf Course, Plat Book 15, Pages 197 and 198, Public Records of Mesa County, Colorado; thence 148.70 feet Northwesterly along the arc of said curve, through a central angle of 49°49'21" and having a long chord bearing of N 56°17'02" W with a long chord length of 144.06 feet; thence N 00°00'00" E along a line 54.00 feet East of and parallel with the West line of the SW ¼ of said Section 29, a distance of 115.08 feet; thence N 90°00'00" E a distance of 1.00 feet to a point on the East right of way for 29 Road, as same is shown on said Plat of Chipeta Golf Course; thence S 00°00'00" E, along said East right of way, a distance of 114.80 feet to a point being the beginning of a 170.00 foot radius non-tangent curve, concave Northeast, as same is shown on said Plat of Chipeta Golf Course; thence 173.57 feet Southeasterly along the arc of said curve, through a central angle of 58°29'59" and having a long chord bearing of S 60°43'01" E with a long chord length of 166.13 feet to a point on the Northerly right of way for B Road, as shown on said Plat of Chipeta Golf Course; thence N 89°58'00" W along a line 30.00 feet North of and parallel with the South line of the SW ¼ of said Section 29, a distance of 199.90 feet, more or less, to the Point of Beginning.

CONTAINING 1377.76 square feet or 0.015 acres, more or less, as described, be and is hereby annexed to the City of Grand Junction, Colorado.

INTRODUCED on first reading on the 3rd day April, 2002.

ADOPTED and ordered published this ___ day of _____, 2002.

Attest:

President of the Council

City Clerk

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

**AN ORDINANCE ANNEXING TERRITORY TO THE
CITY OF GRAND JUNCTION, COLORADO**

LARSON ANNEXATION No. 2

APPROXIMATELY 1.921 ACRES

A portion of the 29 Road Right-of-way

WHEREAS, on the 3rd day of April, 2002, the City Council of the City of Grand Junction considered a petition for the annexation of the following described territory to the City of Grand Junction; and

WHEREAS, a hearing on the petition was duly held after proper notice on the 15th day of May, 2002; and

WHEREAS, the City Council determined that said territory was eligible for annexation and that no election was necessary to determine whether such territory should be annexed.;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION, COLORADO:

That the property situated in Mesa County, Colorado, and described to wit:

**LARSON ANNEXATION NO. 2
DESCRIPTION**

A certain parcel of land lying in the Southwest Quarter (SW ¼) of Section 29 and the Southeast Quarter (SE ¼) of Section 30, Township 1 South, Range 1 East of the Ute Principal Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

COMMENCING at the Southwest corner of said Section 29, and considering the West line of the SW ¼ of said Section 29 to bear N 00°00'00" E with all bearings contained herein being relative thereto, thence N 00°00'00" E along the West line of the SW ¼ of said Section 29 a distance of 31.00 feet to the TRUE POINT OF BEGINNING; thence

from said Point of Beginning, N 89°55'00" W along a line 31.00 feet North of and parallel with, the South line of the SE ¼ of said Section 30, a distance of 30.00 feet to a point on the West right of way for 29 Road; thence N 00°00'00" E, along said West right of way, a distance of 1280.95 feet to a point on the Easterly extension of the South line of Vista Rado Filing No. 1, as same is recorded in Plat Book 16, Page 281, Public Records of Mesa County, Colorado; thence N 89°47'15" W along the South line of said Vista Rado Filing No. 1, a distance of 10.00 feet to a point being the Southwest corner of Lot 30 of said Vista Rado Filing No. 1; thence N 00°00'00" E along a line 40.00 feet West of and parallel with the West line of the SW ¼ of said Section 29 and the West line of said Lot 30, a distance of 100.00 feet; thence S 89°47'15" E a distance of 10.00 feet; thence N 00°00'00" E along a line 30.00 feet West of and parallel with the West line of the SW ¼ of said Section 29, a distance of 211.97 feet; thence N 89°47'15" W a distance of 10.00 feet to a point being the Southwest corner of Lot 29 of said Vista Rado Filing No. 1; thence N 00°00'00" E along a line 40.00 feet West of and parallel with the West line of the SW ¼ of said Vista Rado Filing No. 1, a distance of 348.85 feet, more or less, to a point on the North line of said Vista Rado Filing No. 1; thence S 89°34'38" E along the Easterly extension of the North line of said Vista Rado Filing No. 1, a distance of 10.00 feet; thence N 00°00'00" E along a line 30.00 feet West of and parallel with the West line of the SW ¼ of said Section 29, a distance of 230.22 feet; thence N 90°00'00" E a distance of 30.00 feet to a point on the West line of the SW ¼ of said Section 29; thence S 00°00'00" E along said West line, a distance of 1965.06 feet; thence N 90°00'00" E a distance of 55.00 feet to a point on the East right of way for 29 Road, as same is shown on the Plat of Chipeta Golf Course, as same is recorded in Plat Book 15, Pages 197 and 198, Public Records of Mesa County, Colorado; thence S 00°00'00" E, along said East right of way, a distance of 10.00 feet; thence N 90°00'00" W a distance of 1.00 feet; thence S 00°00'00" E, along a line 54.00 feet East of and parallel with the West line of the SW ¼ of said Section 29, a distance of 115.08 feet to a point being the beginning of a 171.00 foot radius non-tangent curve, concave Northeast; thence 148.70 feet Southeasterly along the arc of said curve, through a central angle of 49°49'21", having a long chord bearing of S 56°17'02" E with a long chord length of 144.06 feet; thence N 89°58'00" W along a line 31.00 feet North of and parallel with the South line of the SW ¼ of said Section 29, a distance of 172.82 feet; thence N 00°00'00" E along a line 1.00 feet East of and parallel with the West line of the SW ¼ of said Section 29, a distance of 194.94 feet; thence N 90°00'00" W a distance of 1.00 feet to a point on the West line of the SW ¼ of said Section 29; thence S 00°00'00" E along the West line of the SW ¼ of said Section 29, a distance of 194.94 feet, more or less, to the Point of Beginning.

CONTAINING 83,694.29 square feet or 1.921 acres, more or less, as described, be and is hereby annexed to the City of Grand Junction, Colorado.

INTRODUCED on first reading on the 3RD day April, 2002.

ADOPTED and ordered published this ____ day of _____, 2002.

Attest:

President of the Council

City Clerk

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

**AN ORDINANCE ANNEXING TERRITORY TO THE
CITY OF GRAND JUNCTION, COLORADO**

LARSON ANNEXATION No. 3

APPROXIMATELY 11.626 ACRES

**LOCATED at 2919/2921 B ½ Road and including a portion of the B ½ Road
Right-of-way**

WHEREAS, on the 3rd day of April, 2002, the City Council of the City of Grand Junction considered a petition for the annexation of the following described territory to the City of Grand Junction; and

WHEREAS, a hearing on the petition was duly held after proper notice on the 15th day of May, 2002; and

WHEREAS, the City Council determined that said territory was eligible for annexation and that no election was necessary to determine whether such territory should be annexed.;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION, COLORADO:

That the property situated in Mesa County, Colorado, and described to wit:

**LARSON ANNEXATION NO. 3
DESCRIPTION**

A certain parcel of land lying in the Southwest Quarter (SW ¼) of Section 29 and the Southeast Quarter (SE ¼) of Section 30, Township 1 South, Range 1 East of the Ute Principal Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

COMMENCING at the Southwest corner of said Section 29, and considering the West line of the SW ¼ of said Section 29 to bear N 00°00'00" E with all bearings contained herein being relative thereto, thence N 00°00'00" E along the West line of the SW ¼ of said Section 29 a distance of 235.94 feet to the TRUE POINT OF BEGINNING; thence

from said Point of Beginning, continue N 00°00'00" E along the West line of the SW ¼ of said Section 29 a distance of 1965.06 feet; thence leaving said West line, N 90°00'00" W a distance of 30.00 feet to a point on the West right of way for 29 Road; thence N 00°00'00" E along said West right of way a distance of 400.51 feet; thence S 89°53'00" E along a line 30.00 feet South of and parallel with the North line of the SE ¼ of said Section 30, a distance of 30.00 feet to a point on the West line of the SW ¼ of said Section 29; thence N 00°00'00" E along said West line a distance of 30.00 feet to a point being the Northwest corner of the SW ¼ of said Section 29; thence leaving said North line, N 90°00'00" E along the North line of the SW ¼ of said Section 29 a distance of 1406.58 feet; thence S 00°00'12" W a distance of 165.00 feet; thence N 90°00'00" E a distance of 79.78 feet; thence S 00°00'12" W a distance of 494.01 feet, more or less, to a point on the North line of Loma Linda Subdivision First Addition, as same is recorded in Plat Book 11, Pages 322 and 323, Public Records of Mesa County, Colorado; thence S 89°57'43" W along said North line a distance of 166.63 feet; thence S 00°00'51" W a distance of 10.58 feet; thence N 90°00'00" W along the North line of said Loma Linda Subdivision First Addition and the North line of Loma Linda Subdivision, as same is recorded in Plat Book 11, Page 195, Public Records of Mesa County, Colorado, a distance of 389.61 feet; thence N 00°01'24" W a distance of 639.70 feet; thence N 90°00'00" W along a line 30.00 feet South of and parallel with the North line of the SW ¼ of said Section 29, a distance of 260.12 feet; thence S 00°00'00" E a distance of 10.00 feet; thence N 90°00'00" W along a line 40.00 feet South of and parallel with the North line of the SW ¼ of said Section 29, a distance of 291.36 feet; thence N 00°00'00" E a distance of 10.00 feet; thence N 90°00'00" W along a line 30.00 feet South of and parallel with the North line of the SW ¼ of said Section 29, a distance of 348.34 feet to a point on the East right of way for 29 Road; thence S 00°00'00" E along said East right of way and being a line 30.00 feet East of and parallel with the West line of the SW ¼ of said Section 29, a distance of 234.00 feet; thence S 90° 00'00" E along the Westerly extension of the North line of Lot 1, Plat of Four Corners Subdivision, as same is recorded in Plat Book 12, Page 53, Public Records of Mesa County, Colorado, a distance of 20.00 feet; thence S 00°00'00" E along the West line of said Four Corners Subdivision, a distance of 405.70 feet to a point on the South line of said Four Corners Subdivision; thence N 90°00'00" W along the Westerly extension of the South line of said Four Corners Subdivision, a distance of 20.00 feet; thence S 00°00'00" E along the East right of way for 29 Road and being a line 30.00 feet East of and parallel with the West line of the SW ¼ of said Section 29, a distance of 650.26 feet to a point on the South line of the Northwest Quarter of the Southwest Quarter (NW ¼ SW ¼) of said Section 29, as same is shown on said Loma Linda Subdivision; thence N 89°55'26" E, along said South line, a distance of 25.00 feet; thence S 00°00'00" E along the East right of way for 29 Road, being a line 55.00 feet East of and parallel with the West line of the SW ¼ of said Section 29, as same is shown on the Plat of Chipeta Golf Course, as same is recorded in Plat Book 15, Pages 197 and 198, Public Records of Mesa County, Colorado, a distance of 1075.58 feet; thence N 90°00'00" W a distance of 55.00 feet, more or less, to the Point of Beginning.

CONTAINING 506,469.85 square feet or 11.626 acres, more or less, as described, be and is hereby annexed to the City of Grand Junction, Colorado.

INTRODUCED on first reading on the 3rd day April, 2002.

ADOPTED and ordered published this ___ day of _____, 2002.

Attest:

President of the Council

City Clerk

Attach 11
Public Hearing – Zoning the Larson Annexation

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA									
Subject	Zoning the Larson Annexation, Located at 2919/2921 B ½ Road								
Meeting Date	May 15, 2002								
Date Prepared	May 7, 2002				ANX-2002-054				
Author	Pat Cecil			Development Services Supervisor					
Presenter Name	Pat Cecil			Development Services Supervisor					
Report results back to Council	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Yes	When			
Citizen Presentation		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	No	Name		
	Workshop	<input checked="" type="checkbox"/>	Formal Agenda				Consent	<input checked="" type="checkbox"/>	Individual Consideration

Summary: The Larson Annexation consists of three parcels of land totaling 7.8 acres. The petitioner is requesting a zone of RSF-4, which conforms to the Growth Plan and adjacent County zoned lands. The Planning Commission recommended approval of the zoning at it's April 23, 2002 meeting.

Budget: N/A

Action Requested/Recommendation: Adopt the ordinance zoning the Larson Annexation.

Attachments:

1. Staff Report
2. General location map
3. Annexation Map
4. General project report
5. Letter of opposition
6. Petition of opposition
7. Ordinance

Background Information: See attached Staff Report

**CITY OF GRAND JUNCTION
CITY COUNCIL**

**MEETING DATE: MAY 15, 2002
STAFF PRESENTATION: PAT CECIL**

AGENDA TOPIC: Zoning the Larson Annexation

SUMMARY: The petitioner is requesting approval of a Zone of Annexation on approximately 7.8 acres to a RSF-4 district.

ACTION REQUESTED: Approval of the Zoning to a RSF-4 district by the City Council.

BACKGROUND INFORMATION					
Location:		2919 B ½ Road			
Applicants:		Rochelle Larson and Daryl Mitchel Larson – Petitioners Development Concepts, Inc. – Representative			
Existing Land Use:		Existing residence			
Proposed Land Use:		Residential subdivision			
Surrounding Land Use:	North	Residential/Agricultural			
	South	Residential			
	East	Residential/Agricultural			
	West	Residential/Agricultural			
Existing Zoning:		RSF-R (AFT) County zoning			
Proposed Zoning:		RSF-4			
Surrounding Zoning:	North	AFT (County)			
	South	RSF-4 (County)			
	East	RSF-R (County)			
	West	RSF-4 (County)			
Growth Plan Designation:		Residential Medium 4-8 (Orchard Mesa Plan)			
Zoning within density range?		X	Yes		No

Rezoning: The petitioner is requesting the rezoning in conjunction with an annexation application and a preliminary plan. The preliminary plan is not ready for Planning Commission approval, but to keep the annexation on schedule, the zone of annexation is being separated from the preliminary plan review.

In order for the rezoning to occur, the following questions must be answered and a finding of consistency with the Zoning and Development Code must be made per Section 2.6 as follows:

1. The existing zoning was in error at the time of adoption;
2. There has been a change of character in the neighborhood due to installation of public facilities, other zone changes, new growth trends, deterioration, development transitions, etc.;
3. The proposed rezone is compatible with the neighborhood and will not create adverse impacts such as: capacity or safety of the street network, parking problems, storm water or drainage problems, water, air or noise pollution, excessive nighttime lighting, or nuisances;
4. The proposal conforms with and furthers the goals and policies of the Growth Plan, other adopted plans, and policies, the requirements of this Code, and other City regulations and guidelines;
5. Adequate public facilities and services are available or will be made available concurrent with the projected impacts of the proposed development;
6. There is not an adequate supply of land available in the neighborhood and surrounding area to accommodate the zoning and community needs; and
7. The community or neighborhood will benefit from the proposed zone.

The petitioner's responses are located on pages 2 through 6 of the General Project Report attached to this staff report.

Staff believes that the request for an RSF-4 zoning is consistent with the Growth Plan and is also consistent with adjacent County zoning.

Several people appeared at the Planning Commission hearing and voiced concerns regarding the proposed density, and objecting to the subdivision which was not on the agenda due to technical deficiencies.

One letter and a petition containing 42 names (3-pages) have been submitted and copies are attached to this staff report.

PLANNING COMMISSION RECOMMENDED: That the City Council approve a zone of Annexation for the Larson Annexation, finding the proposed zoning to be consistent with the Growth Plan and Sections 2.14.F. and 2.6 of the Zoning and Development Code.

LARSON ANNEXATIONS No. 1-3

Ute Water
Lines

2"
18"

Sewer
Lines

B 1/2 RD

CORNERS DR

KATHY JO LN

KATHY JO LN

KATHY JO LN

VISTA HILLS DR

REY CT

VISTA

JACQUE RD

RADAN ST

ARCE CT

STELLA CT

GARFIELD DR

EL TORRO RD

--- CITY LIMITS
ANNEXATION
BOUNDARY



This map was developed by the City of Grand Junction using public records, for use by the city only. The City does not guarantee or promise that it is accurate, for various technical reasons. For information contact the City of Grand Junction Community Development Department, Technical Services Div. 970-256-4010

CHICO DR

NOB HILL DR

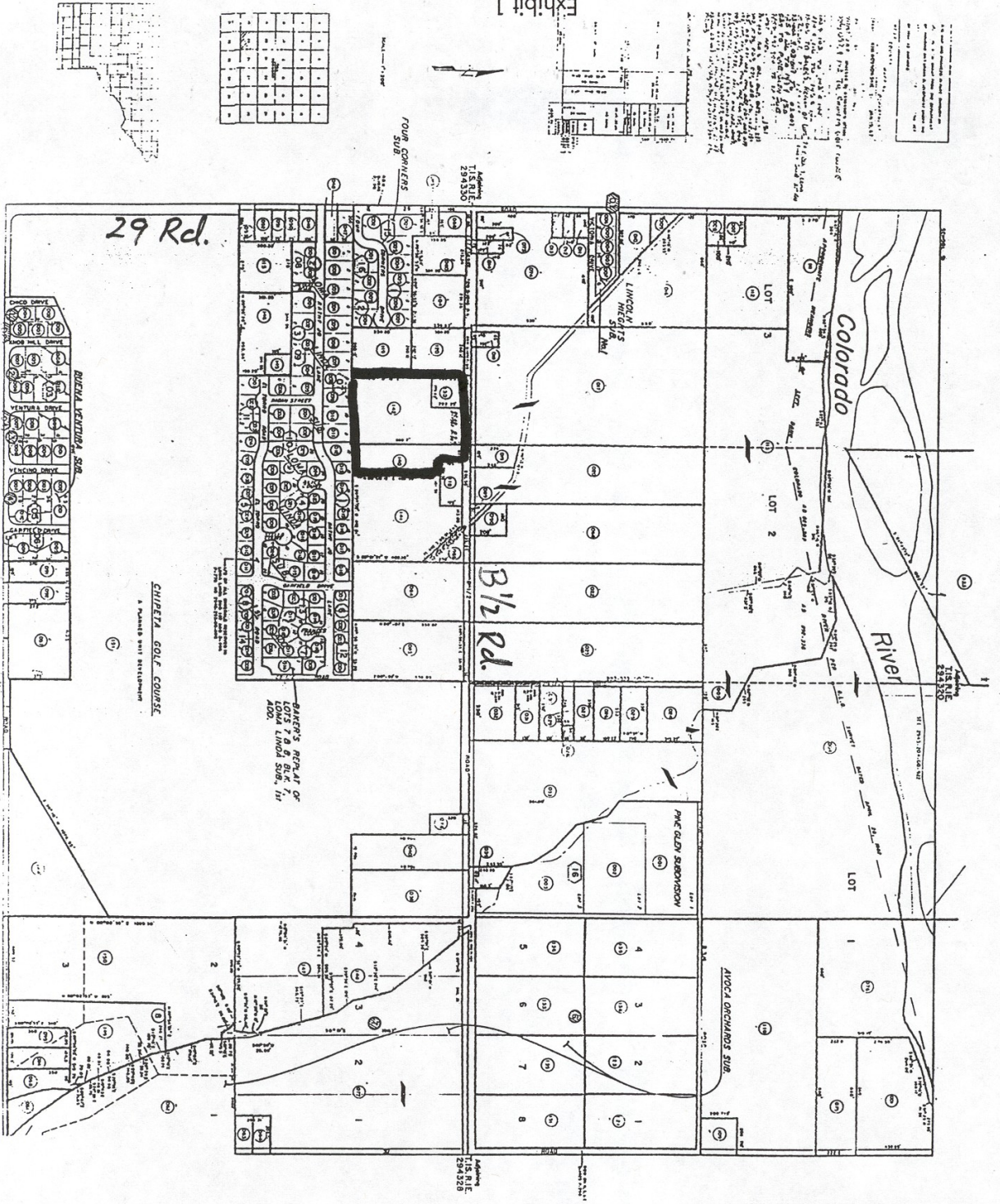
VENTURA RD

VENCINO DR

GARFIELD DR

B RD

Assessor's Map
Exhibit 1



1	2	3	4	5	6	7	8	9	10
11	12	13	14	15	16	17	18	19	20
21	22	23	24	25	26	27	28	29	30
31	32	33	34	35	36	37	38	39	40
41	42	43	44	45	46	47	48	49	50
51	52	53	54	55	56	57	58	59	60
61	62	63	64	65	66	67	68	69	70
71	72	73	74	75	76	77	78	79	80
81	82	83	84	85	86	87	88	89	90
91	92	93	94	95	96	97	98	99	100

1. The Assessor's Map is a map of the land in the County of Santa Cruz, State of Arizona, showing the boundaries of the parcels of land, the names of the owners, and the area of each parcel. The Assessor's Map is prepared by the Assessor of the County of Santa Cruz, Arizona, and is subject to the provisions of the Assessor's Map Act, Chapter 10, Article 10, of the Arizona Constitution, and the Assessor's Map Act, Chapter 10, Article 10, of the Arizona Statutes. The Assessor's Map is a public record and is available for inspection and copying by any person at the office of the Assessor of the County of Santa Cruz, Arizona, at any time during the regular business hours of the office. The Assessor's Map is a public record and is available for inspection and copying by any person at the office of the Assessor of the County of Santa Cruz, Arizona, at any time during the regular business hours of the office.

1. Section 10
2. Section 11
3. Section 12
4. Section 13
5. Section 14
6. Section 15
7. Section 16
8. Section 17
9. Section 18
10. Section 19
11. Section 20

1. Section 10
2. Section 11
3. Section 12
4. Section 13
5. Section 14
6. Section 15
7. Section 16
8. Section 17
9. Section 18
10. Section 19
11. Section 20

Larson Subdivision

**Preliminary Plat
Annexation & Zone of Annexation to RSF-4
General Project Report**

Parcel #s 2943-293-00-130,140 and 142
2919 B½ Road
Petitioner: Rochelle Larson

Submittal Date: February 27, 2002

Application Description

Rochelle Larson proposes the Annexation, Zone of Annexation to RSF-4, and a Preliminary Plat for three (3) parcels which will comprise the Larson Subdivision located at 2919 B½ Road (Exhibit 1 - Assessor's Map). The Larson Subdivision proposes 28-lots on approximately 7.8-acres (Exhibit 2- Preliminary Plat). The subdivision is proposed to be developed in 1 filing.

Subdivision Access

The Larson Subdivision is to be provided primary access from B½ Road, through the development of a new public street, Cross Canyon Way. B½ Road will be improved to urban standards with curb, gutter, sidewalk, and an on-street bicycle path, as required by the 2001 *Urban Trails Master Plan*. Two additional public streets, Ute Canyon Court and Four Corners Drive, will also provide access to the proposed 28-lots. Four Corners Drive will be stubbed to the east and west property lines in order to provide future access to abutting property. Ute Canyon Court will be built as a cul-de-sac road, with a 20-foot pedestrian walkway proposed to connect Ute Canyon Court and Cross Canyon Court. All streets will be developed to meet the requirements of the City of Grand Junction.

Surrounding Land Use/Zoning

LAND USE - The following Land-uses surround the subject property:

- ❖ North - Large unplatted parcels of property
- ❖ South - Loma Linda Subdivision and the Chipeta Golf Course
- ❖ East - Unplatted property and the Chipeta Golf Course
- ❖ West - Unplatted property and the Four Corners Subdivision

Development Concepts - Where Concepts Become Real

ZONING - The subject property is currently zoned by Mesa County as Agricultural, Forestry Transitional (AFT). Abutting the subject property, properties are zoned by Mesa County as:

- ❖ North - County AFT
- ❖ South - County RSF-4
- ❖ East - County RSF-R
- ❖ West - County RSF-4

Growth Plan and Orchard Mesa Neighborhood Plan Designation

The Larson Subdivision is located in the urbanizing area of the *Mesa Countywide Land Use Plan*, also known as the *City of Grand Junction Urban Growth Plan (Growth Plan)*. The proposed subdivision also falls under the

jurisdiction of the *Orchard Mesa Neighborhood Plan*. The *Growth Plan* designation for the subject property is Residential-Medium Density (4.0 - 7.9 du/a), and the *Orchard Mesa Neighborhood Plan*'s recommended land use is Single Family (4 units per gross acre). The Larson Subdivision **MEETS**, and is consistent with various goals and policies of the *Growth Plan* and the *Orchard Mesa Neighborhood Plan*, which will be reviewed in the Preliminary Plat criteria section of the General Project Report.

The petitioner is required by the *Code* to develop the subject property to the minimum density of the *Growth Plan*, which is 4.0 dwelling units to the acre. The *Code* also allows a 20% reduction of the minimum density, which equates to 3.2 dwelling units to the acre. The proposed subdivision is to be built at a density of 3.59 dwelling units to the acre ($28 \text{ du} \div 7.8\text{-acres} = 3.59 \text{ du/a}$).

Zone of Annexation Review Criteria

Land annexed into the City of Grand Junction are to be zoned in accordance with Section 2.6 of the *Code*, to a district that is consistent with the adopted *Growth Plan*, or consistent with existing County zoning. The Zone of Annexation proposed for the Larson Subdivision is Residential Single Family 4 (RSF-4), since this zone is consistent with the adopted *Growth Plan*, and the *Orchard Mesa Neighborhood Plan*. The Approval Criteria in Section 2.6 states that "... In order to maintain internal consistency between this *Code* and the Zoning Maps, map amendments must only occur if:"

The existing zoning was in error at the time of adoption;

This criterion is **NOT APPLICABLE**, since this is an application for a Zone of Annexation to RSF-4 from County AFT, which meets the *Growth Plan* and the *Orchard Mesa Neighborhood Plan* recommendations, and not a rezone from another City zone.

There has been a change of character in the neighborhood due to installation of public facilities, other zone changes, new growth trends, deterioration, development transitions, etc.;

Although this is not a rezone from another City zoning district, this criterion is applicable. The proposed zone of annexation for the proposed subdivision **MEETS** the *Growth Plan* and the *Orchard Mesa Neighborhood Plan* recommendations, goals and policies. The *Growth Plan* and the *Orchard Mesa Neighborhood Plan* have

continued to recognize the development potential of the subject property and transition from rural to urban development in this area of Orchard Mesa. The Loma Linda Subdivision, Four Corners Subdivision, and Chipeta Pines Subdivision are examples of the continued transition. The installation of public a new sanitary sewer line in B½ Road has allowed continued transition to urban development to continue. The proposed zone of annexation and preliminary plat for the Larson Subdivision **MEETS** this review criterion.

The proposed rezone is compatible with the neighborhood and will not create adverse impacts such as: capacity or safety of the street network, parking problems, storm water or drainage problems, water, air or noise pollution, excessive nighttime lighting, or other nuisances;

The proposed RSF-4 subdivision is compatible with the surrounding area. Land use in the surrounding area includes:

- ❖ North - Large unplatted parcels of property
- ❖ South - Loma Linda Subdivisions and the Chipeta Golf Course
- ❖ East - Unplatted property and the Chipeta Golf Course
- ❖ West - Unplatted property and the Four Corners Subdivision

Submitted with this application for the Zone of Annexation and Preliminary Plat are several technical reports, which include a Preliminary Drainage Report, prepared by DGP Consulting Engineers, Inc.; a Surficial Geology Report, prepared by Criterium-Kupelian Engineers; and, a Geotechnical Report, prepared by Geotechnical Engineering Group, Inc.

The proposed subdivision will not create adverse impacts such as parking problems, storm water or drainage problems, water, air or noise pollution, excessive nighttime lighting, or other nuisances. The proposed zone of annexation and preliminary plat for the Larson Subdivision **MEETS** this review criterion.

4. The proposal conforms with and furthers the goals and policies of the Growth Plan, other adopted plans, and the policies, the requirements of this Code, and other City regulations and guidelines;

The Larson Subdivision **MEETS** and is consistent with various goals and policies of the *Growth Plan*, which are as follows:

Goal 1 - To achieve a balance of open space, agricultural, residential and nonresidential land use opportunities that reflects the residents' respect for the natural environment, the integrity of the community's neighborhoods, the economic needs of the residents and

business owners, the rights of private property owners and the needs of the urbanizing community as a whole.

Policy 1.3 - The City and County will use Exhibit V.3: Future Land Use Map in conjunction with the other policies of this plan to guide zoning and development decisions.

The Larson Subdivision is consistent with Exhibit V3, Future Land Use Map, as well as the other Goals and Policies listed herein.

Goal 4 - To coordinate the timing, location and intensity of growth with the provision of adequate public facilities

Policy 4.4 - The city and county will ensure that water and sanitary sewer systems are designed and constructed with adequate capacity to serve the proposed development. *All utility providers have indicated that adequate capacity is available for water and other utilities.*

Goal 5 - Efficient Use of Investments in Streets, Utilities and other Public Facilities

Policy 5.2 - Encourage development that uses existing facilities and is compatible with surrounding development - *All urban services are available to the property and the proposed subdivision is compatible with the surrounding area as indicated by the Land Use Designation of the Growth Plan.*

Goal 9 - To recognize and preserve valued distinctions between different areas within the community.

Policy 9.2 - The city and county will encourage neighborhood designs which promote neighborhood stability and security. *Compatibility with the existing surrounding neighborhood was ensured with the density for the subdivision meeting the recommendations found in the Growth Plan. With the design of this subdivision, the compatibility of the neighborhood can continue.*

Goal 11 - Promote stable neighborhoods and land use compatibility throughout the neighborhood

Policy 11.1 - Promote compatibility between adjacent land uses, addressing traffic, noise, lighting, height/bulk. *See review of Goal 9.*

Goal 22 - To preserve agricultural land

The subdivision is taking place in the Urbanizing Area of Mesa County designated for urban development. No prime farm ground outside the urbanizing area is proposed to be taken out of production.

Overall, the preliminary plat **MEETS** the numerous goals, and the Future Land-Use Plan map of the *Growth Plan*.

The proposal **MEETS** and conforms with the requirements of the 2000 *Zoning and Development Code* and other City guidelines and policies, such as the TEDs Manual, SSIDs Manual, SWIMM Manual, Urban Trails Map, Master Thoroughfare Plan, Street Corridor Studies, etc. for approval of the Zone of Annexation and Preliminary Plat.

Adequate public facilities and services are available or will be made available concurrent with the projected impacts of the proposed development;

All urban services are available to the site, and have sufficient capacity for the urban density allowed by the proposed RSF-4 subdivision. The subject property is currently served by:

Xcel Energy – Natural Gas	Orchard Mesa Sanitation District – Sanitary Sewer
Grand Valley Rural Power – Electric	Ute Water Conservancy District – Potable Water
Qwest – Telephone	Grand Junction Fire Department – Fire Protection
Orchard Mesa Irrigation District – Irrigation	Grand Junction Police Department – Police Protection
AT&T Broadband – Cable Television	

The proposed zone of annexation and preliminary plat for the Larson Subdivision **MEETS** this review criterion.

There is not an adequate supply of land available in the neighborhood and surrounding area to accommodate the zoning and community needs; and

In order to have an adequate supply of land for this density of subdivision in the Urbanizing Area, the *Growth Plan* and the *Orchard Mesa Neighborhood Plan* indicates the location of this subdivision as an appropriate land use. The proposed zoning meets the community needs by developing in accordance with the goals and policies of the *Growth Plan*, and the *Orchard Mesa Neighborhood Plan*.

Building lots of the ¼-acre or less increment for separate purchase are scarce in this area of Orchard Mesa. This subdivision is intended to make lots available to the general public. This subdivision is proposed to be developed in a relative short time

period. This time frame is based on the “market demand,” so the possibility of overbuilding is lessened.

The proposed zone of annexation and preliminary plat for the Larson Subdivision **MEETS** this review criterion.

The community or neighborhood will benefit from the proposed zone.

By granting the proposed Zone of Annexation of RSF-4, there will be benefits derived by the community, and/or area by implementing the various goals and policies of the *Growth Plan*, as noted in the Section 3 of Section 2.6 review found in the General Project Report, and the *Orchard Mesa Neighborhood Plan*. The proposed

Zone of Annexation to RSF-4 provides community benefits, and **MEETS** this review criterion.

RSF-4 Zoning District Standards

In Section 3.3.E, of the 2000 *City of Grand Junction Zoning and Development Code* states that the Residential Single Family 4 (RSF-4) purpose is

“To provide for medium-low density, single family residential uses where adequate public facilities and services exist. Duplex dwellings may be allowed under special conditions. RSF-4 zoning implements the *Residential Medium Low Density* and *Residential Medium Density* future land use classifications of the *GROWTH PLAN*.”

The Zoning Dimensional Standards for the RSF-4 zone from the 2000 *Zoning and Development Code* are found in Table 1. The preliminary plat for the Larson Subdivision has been designed using the dimensional standards for the RSF-4 zone district.

Table 1
Zoning Dimensional Standards
RSF-4 Zone District

Minimum Lot Size	8,000 square feet
Minimum Lot Width	75 feet
Minimum Street Frontage	20 feet
Maximum Height of Structures	35 feet
Minimum Front Yard Setback (Principal/Accessory)	20 feet/25 feet

Side Yard Setback (Principal/Accessory)	5 feet/3 feet
Rear Yard Setback (Principal/Accessory)	25 feet/5 feet
Maximum Lot Coverage (%)	50
Floor Area Ration (FAR)	0.40 for non-residential uses

Source: Table 3.2 of the 2000 City of Grand Junction *Zoning and Development Code*

Preliminary Plat Review Criteria

The following criteria from Section 2.8.B, Preliminary Plat Amendment, of the City of Grand Junction *Zoning and Development Code* (2000) is to be used to determine if the Preliminary Plat should be approved:

The Growth Plan, major street plan, Urban Trails Plan and other adopted plans;

See review of Criterion 4 of Section 2.6, Zone of Annexation, of this General Project Report for compliance determination. The preliminary plat **MEETS** this review criterion.

b. The purposes of this Section 2.8.B;

The Larson Subdivision Preliminary Plat was designed using the 17 outlined purposes found in Section 2.8.B, as reviewed under the Preliminary Plat criteria. By using these purposes in the design of the Larson Subdivision, the preliminary plat **MEETS** this review criterion.

The Subdivision standards (Section 6.7);

The Larson Subdivision Preliminary Plat was designed using the subdivision standards found in Section 6.7. These standards are outlined in the criteria found in Section 6.7.B, Intent. By using the subdivision standards in the design of the Larson Subdivision, the preliminary plat **MEETS** this review criterion.

The Zoning standards (Chapter Three)

In Section 3.3.D, of the 2000 *City of Grand Junction Zoning and Development Code* states that the Residential Single Family 4 (RSF-4) purpose is

“To provide for medium-low density, single family residential uses where adequate public facilities and services exist. Duplex dwellings may be allowed under special conditions. RSF-4 zoning implements the *Residential Medium Low Density* and *Residential Medium Density* future land use classifications of the *GROWTH PLAN*.”

The Zoning Dimensional Standards for the RSF-4 zone from the 2000 *Zoning and Development Code* are found in Table 4.

By using the RSF-4 zoning standards in the design of The Larson Subdivision, the preliminary plat **MEETS** this review criterion.

Other standards and requirements of this Code and other City policies and regulations;

The proposal **MEETS** and conforms with the requirements of the 2000 *Zoning and Development Code* and other City guidelines and policies, such as the TEDs Manual, SSIDs Manual, SWIMM Manual, Urban Trails Map, Master Thoroughfare Plan, Street Corridor Studies, etc. for approval of the Preliminary Plat.

Adequate public facilities and services will be available concurrent with the subdivision;

All urban services are available to the site, and have sufficient capacity for the urban density allowed by the proposed RSF-4 subdivision. The subject property is currently served by:

Xcel Energy – Natural Gas	Orchard Mesa Sanitation District – Sanitary Sewer
Grand Valley Rural Power – Electric	Ute Water Conservancy District – Potable Water
Qwest – Telephone	Grand Junction Fire Department – Fire Protection
Orchard Mesa Irrigation District – Irrigation	Grand Junction Police Department – Police Protection
AT&T Broadband – Cable Television	

The project will have little or no adverse or negative impacts upon the natural or social environment;

The project will have little or no adverse or negative impacts upon the natural or social environment. The property has slightly sloping topography, which make development of the property not require a large amount of cut and/or fill.

The compatibility the subject property to the adjacent properties was determined during the development of the *Growth Plan*. The 28-lot

subdivision is compatible with the surrounding area and the natural environment.

Compatibility with existing and proposed development on adjacent properties;

The proposed RSF-4 subdivision is compatible with the surrounding area. Land use in the surrounding area includes:

- ❖ North - Large unplatted parcels of property
- ❖ South - Loma Linda Subdivisions and the Chipeta Golf Course
- ❖ East - Unplatted property and the Chipeta Golf Course
- ❖ West - Unplatted property and the Four Corners Subdivision

The subject property is currently zoned by Mesa County as Agricultural, Forestry Transitional (AFT). Abutting the subject property, properties are zoned by Mesa County as:

- ❖ North - County AFT
- ❖ South - County RSF-4
- ❖ East - County RSF-R
- ❖ West - County RSF-4

The *Growth Plan* designation for the subject property is Residential-Medium Density (4.0 - 7.9 du/a), and the *Orchard Mesa Neighborhood Plan's* recommended land use is Single Family (4 units per gross acre). The Larson Subdivision **MEETS**, and is consistent with various goals and policies of the *Growth Plan* and the *Orchard Mesa Neighborhood Plan*, which were reviewed in the Preliminary Plat criteria section of the General Project Report.

- a. Adjacent agricultural property and land uses will not be harmed;

The subdivision is taking place in the Urbanizing Area of Mesa County designated for urban development. No prime farm ground outside the urbanizing area is proposed to be taken out of production.

- b. Is not piecemeal development nor premature development of agricultural land or other unique areas;

See response to Criterion i.

- c. There is adequate land to dedicate for provision of public services; and

The proposed subdivision is dedicating additional right-of-way along B½ Road. Other provisions for public services in utility and other multi-purpose easements are being provided. There is adequate land to dedicate for provision of public services in The Larson Subdivision.

- d. This project will not cause an undue burden on the City for maintenance or improvement of land and/or facilities.

As noted in Criterion f, adequate public services are available to the proposed RSF-4 subdivision. By meeting the City of Grand Junction's planning and policy documents, this subdivision will not cause an undue burden on the City for maintenance or improvement of land and/or facilities.

Conclusion

This application is for Annexation, Zone of Annexation to RSF-4 from Mesa County AFT, and a 28-lot preliminary plat for the Larson Subdivision on an approximately 7.8-acre parcel. The application **MEETS** Section 2.6, Rezoning, Section 2.8, Preliminary Plat Criteria, and other applicable sections of the City of Grand Junction *Zoning and Development Code* (2000). This application also meets numerous goals and policies of the *City of Grand Junction Growth Plan*, including the 2001 *Urban Trails Plan* Map and Corridor Plans, and the *Orchard Mesa Neighborhood Plan*. We respectfully request your approval of this application for Annexation, Zone of Annexation, and a Preliminary Plat for the Larson Subdivision.

Sunday, March 17, 2002

Mr. Pat Cecil -- City of Grand Junction, CO -- Planner

City of Grand Junction
Community Development Department
250 N 5th St
Grand Junction, CO 81501

RECEIVED

MAR 21 2002

**COMMUNITY DEVELOPMENT
DEPT.**

Reference: ANX - 2002 - 054 - ANNEXATION REZONE

Sir:

I do not agree with the rezone requested for the Larson subdivision.

I do not have a problem with Ms. Larson attempting to develop this property under the guidelines as detailed by the Mesa County Planning Commission and this small (7.8 acre) plot of land remaining in Mesa County. The approximately 40 acres of land on the north side of B 1/2 road should remain as farm land and not have the start of being annexed into the city of Grand Junction.

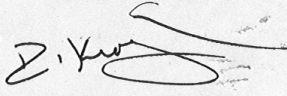
The density of houses and population this development would bring to the Orchard Mesa area is unacceptable for the long range plans of Mesa County and should be denied by the city of Grand Junction.

By copy of this letter to each of the Mesa County Commissioners and a copy to the Mesa County Planning Commission I encourage them to express their view points.

Of course if you wish to take into the city, the property located at 251 -29 Road (B 1/2), (the old Page grocery store with its underground fuel tanks and the acre of junk), this may be a good solution for Mesa County to get rid of that eye sore and problems.

If I am in the Mesa County area at the time of the hearing I would like to express my views. Please use this letter as my objection to this development in the event I am not available to attend.

Sincerely;


D. Krogh
PO BOX 1237 - Grand Junction, CO. 81502

CC:

Donna Ross - County Attorney's Office
James R. Baughman - Mesa County Commissioner
Doralyn B. Genova - Mesa County Commissioner
Kathryn H. Hall - Mesa County Commissioner
Manager -- Mesa County Planning & Development

Neighbors Against
Larson Subdivision - (AND reasons
why.)

- 1 B $\frac{1}{2}$ Rd is a two lane road with a double yellow line (No passing) for nearly 5 miles. Frequent slow farm vehicles and no sidewalks.
- 2 Schools around this area are already over-crowded.
- 3 Water from irrigation head gate will probably not be enough since there's barely enough for existing homes.

Other concerns

Price range
Modular homes
Height of structures (Blocking views),
Easement through Four Corners Dr.
Lack of sufficient Law enforcement patrols -
Agricultural Zoned land
Too many houses for the area.
City or Developer putting in the streets.

RECEIVED

APR 23 2002

COMMUNITY DEVELOPMENT
DEPT.

Page 1 of 3

Leo / Marnie Dasey - 241-7014
2914 Four Corners Dr,

John Street Gardner 2910 Four Corners

Prof D. Walsh 245-5750 2901 FOUR CORNERS

William Brown 245-8701 2909 Four Corners
245-8701 DRIVE

JANICE Brown - 245-8701 2909 Four Corners

Lura Drumbie - 242-2571 2906 Four Corners

Duane & Liz Miller 2904 Four Corners Dr
245-3639

Johnny Weese 2909 B $\frac{1}{2}$ Rd
241-7954

Larry/Mellie Maska 2911 FOUR CORNERS DR
243-5165

Michelle & Jerry Dangle 2914 Kathy Jo Lane
243-1840

DAVID + Becky Hewes 2916 KATHY JO LN 242-3632

Linda McCarthy 2918 Kathy Jo Ln 242-7731

Laura F. Koop 2924 Kathy Jo Lane
242-6059

Laurance B. Koop 242-6059 2924 Kathy Jo Lane

Edsel Bradshaw - 2928 Kathy Jo
 Dorothy + E. Murphy 2932 Kathy Jo Ln
 Harley Orabood 2936 Kathy Jo Lane.
 Marie Orabood 2936 Kathy Jo Lane
 Gary L. Brown 2938 Kathy Jo Ln. 245-0687
 Nadine Brown 2938 Kathy Jo Ln.
 Walter Hyslop 2942 KATHY JO LN
 Blanca Hyslop 2942 Kathy Jo Ln
 Pat Jones 2944 Kathy Jo Lane
 William Jones 2944 Kathy Jo Ln
 Barbara Smith 2948 Kathy Jo Lane
 Derek Smith 2948 KATHY JO LANE.
 Jim Conroy 2912 FOUR CORNERS
 Robyn Conroy 2912 FOUR CORNERS
 Esther Mujillo 2915 B 1/2 RD
 Ed Grogan 2935 B 1/2 RD
~~Walter D. D. D.~~ 2920 Kathy Jo Ln.
 Jeanine Djas 2950 Kathy Jo Lane
 Paul Moore 2994 B 1/2 Rd G.T.
 Dale H. Smith 2897 - B 1/2 RD.
 Eileen Smith " " "
 JAMES E SPIEGEL 2851 B 1/2 RD

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE No. _____

**Zoning the Larson Annexation (ANX-2002-054) to the Residential Single Family –
4 dwelling units per acre (RSF-4) district**

Located at 2919/2921 B ½ Road

Recitals:

After public notice and public hearings as required by the Grand Junction Zoning and Development Code, the Grand Junction Planning Commission recommended approval of applying an RSF-4 zone district to the annexation.

After public notice and public hearing before the Grand Junction City Council, City Council finds that the RSF-4 zone district be established for the following reasons: This zone district meets the criteria of Section 2.14. F. of the Zoning and Development Code.

This zone district meets the criteria found in Section 2.6 of the Zoning and Development Code.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION THAT:

The following property shall be zoned Residential Single Family – 4 dwelling units per acre (RSF-4) district:

Includes the following tax parcel 2943-293-00-130, 140 & 142

Parcel 1: A parcel of land situated in the NW1/4SW1/4 SEC 29, T1S; R1E, UM being desc as follows: BEG 929.82' E W1/4 corner SEC 29; E 178.62'; S00°00'12"E 222.23'; W 178.62'; N00°00'12"W 222.23' POB; EXC the N 40' for road ROW as conveyed by instrument recd Bk 1067 Pg 981.

Parcel 2: A parcel of land situated in the NW1/4 SW1/4 SEC 29, T1S, R1E UM being desc as follows: BEG at a pt 929.82' E of the W 1/4 corner of said SEC 29; S 669.7'; E 390.18'; N 669.7'; W 390.18' POB; EXC that parcel as conveyed in instrument recd April 2, 1987, in Bk 1987, Bk 1635 Pg 841; and EXC N 40' for road ROW as conveyed by instrument recd in Bk 1067 Pg 981.

Parcel 3: NW1/4 of the NE1/4 of the SW1/4 of SEC 29, T1S, R1E UM; EXC Beg at the NE corner of tract; S along the E line of said tract 250' to the North Bank of the

Mutual Mesa Canal; NWSLY along the North Bank of said canal 300' to the N line above desc tract; E 196', more or less, POB; EXC that parcel as conveyed by instrument recd August 13, 1987, Bk 1657 Pg 192; and also EXC that parcel as conveyed by instrument recd September 28, 1990, in Bk 1806 Pg 726; Also EXC the N 40' for ROW as conveyed by instrument recd in Bk 1067 at Pg 891.

Introduced on the first reading this 1st day of May, 2002.

PASSED and ADOPTED on second reading this _____ day of May, 2002.

President of Council

ATTEST:

City Clerk

Attach 12

Public Hearing – Zambrano Annexation

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA							
Subject		Zambrano Annexation located at 657 20 ½ Road					
Meeting Date		May 15, 2002					
Date Prepared		May 9, 2002			File # ANX-2002-053		
Author		Bill Nebeker		Senior Planner			
Presenter Name		Bill Nebeker		Senior Planner			
Report results back to Council		X	No		Yes	When	
Citizen Presentation			Yes		No	Name	
	Workshop	X	Formal Agenda			Consent	X Individual Consideration

Summary: Resolution for Acceptance of Petition to Annex/Second reading of the annexation ordinance for the Zambrano Annexation. The 11.282-acre Zambrano Annexation consists of one parcel of land.

Budget: N/A

Action Requested/Recommendation: It is recommended that City Council approve the resolution for the acceptance of petition to annex and adopt the annexation ordinance on second reading

Attachments:

1. Staff Report
2. Aerial Photo
3. Vicinity Map
4. Annexation Map
5. Resolution Accepting Petition
6. Annexation Ordinance

Background Information: See attached

BACKGROUND INFORMATION			
Location:		657 20 ½ Road	
Applicants:		John & Janice Zambrano	
Existing Land Use:		Single family home & vacant	
Proposed Land Use:		Single family residential (22 lots)	
Surrounding Land Use:	North	Single family residential	
	South	Single family residential	
	East	Single family residential & vacant	
	West	Single family residential	
Existing Zoning:		County RSF-4	
Proposed Zoning:		RSF-4	
Surrounding Zoning:	North	City PD (Independence Ranch)	
	South	County RSF-4	
	East	County RSF-4	
	West	County PD (Independence Valley)	
Growth Plan Designation:		Residential Medium Low (2 to 4 du/acre)	
Zoning within density range?		X	Yes
			No

Staff Analysis:

Acceptance of the Annexation Petition:

This annexation area consists of annexing 11.282 acres of land. A portion of 20 ½ Road adjacent to this parcel is also being annexed. Owners of the property have signed a petition for annexation as part of their request to develop the Zambrano Subdivision, pursuant to the 1998 Persigo agreement with Mesa County.

It is staff's professional opinion, based on review of the petition and knowledge of applicable state law, including the Municipal Annexation Act Pursuant to C.R.S. 31-12-104, that the Zambrano Annexation is eligible to be annexed because of compliance with the following:

- a) A proper petition has been signed by more than 50% of the owners and more than 50% of the property described;
- b) Not less than one-sixth of the perimeter of the area to be annexed is contiguous with the existing city limits;

c) A community of interest exists between the area to be annexed and the City. This is so in part because the Central Grand Valley is essentially a single demographic and economic unit and occupants of the area can be expected to, and regularly do, use City streets, parks and other urban facilities;

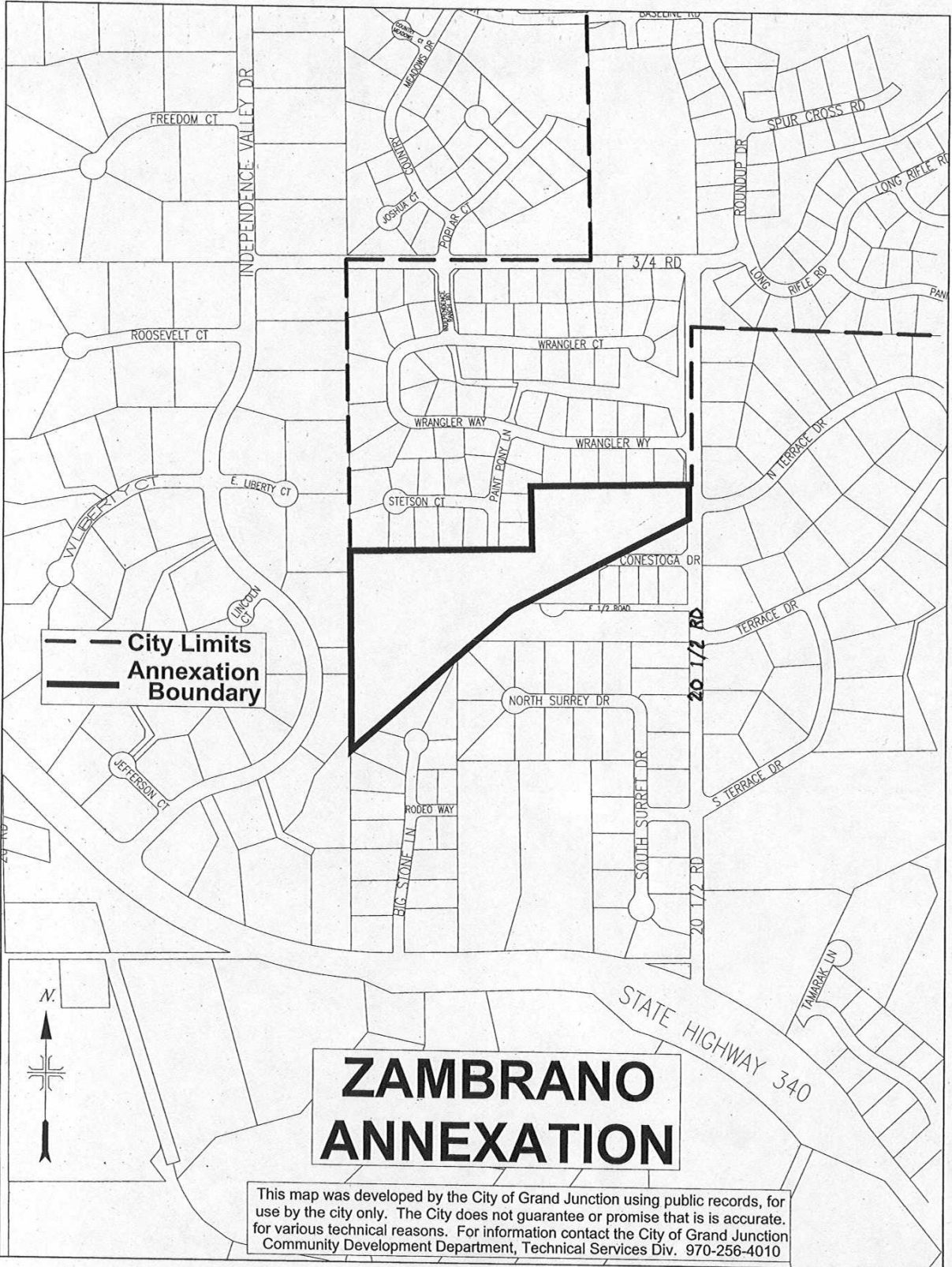
d) The area is or will be urbanized in the near future;

e) The area is capable of being integrated with the City;

Annexation Ordinance:

When annexed the petitioner proposes a 22-lot single family development in one phase on 11.28 acres. The Planning Commission approved the preliminary plat on April 23, 2002. The zone of annexation of RSF-4 will be considered at the same hearing as the annexation. This annexation consists of annexing one parcel. The total size of the annexation is 11.282 acres.

Action Requested/Recommendation: Adopt resolution to accept petition and adopt annexation ordinance on second reading.



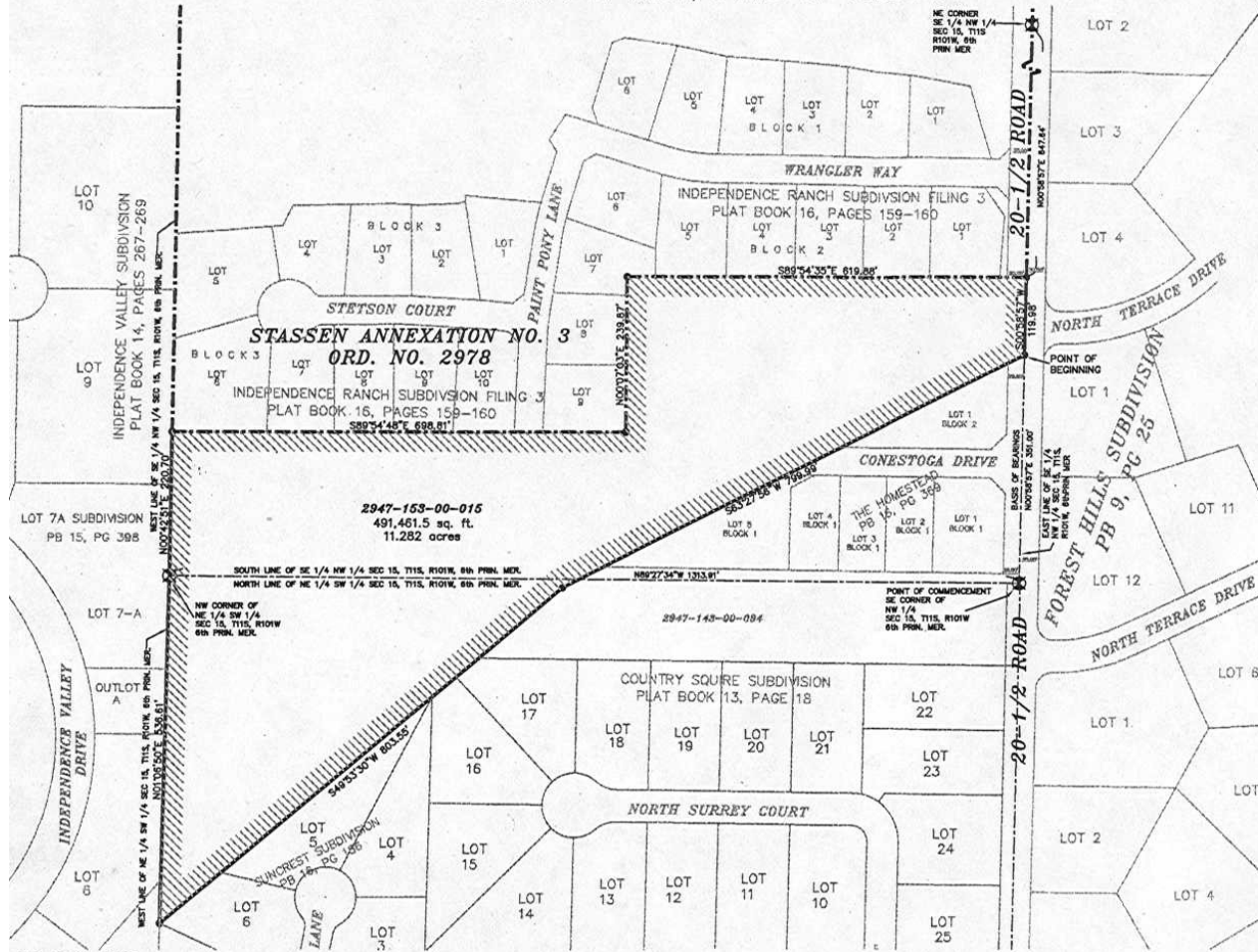
- - - City Limits
 ——— Annexation Boundary

ZAMBRANO ANNEXATION

This map was developed by the City of Grand Junction using public records, for use by the city only. The City does not guarantee or promise that it is accurate for various technical reasons. For information contact the City of Grand Junction Community Development Department, Technical Services Div. 970-256-4010

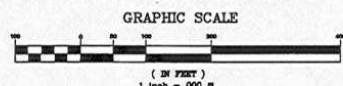
ZAMBRANO ANNEXATION

SITUATE IN THE WEST-HALF OF SECTION 15, T11S, R101W, 6th PRIN. MER.
 COUNTY OF MESA, STATE OF COLORADO



AREA OF ANNEXATION

1 PERIMETER	4639.39 FT
5 PERIMETER	1550.56 FT
SQUARE FEET	491,461.5
ACRES	11.282



LEGEND

ON BOUNDARY ————

CITY LIMITS - - - - -

ORDINANCE NO.
 ???

EFFECTIVE DATE
 ???

<p>commence any legal action within three years after you and may any action based upon and more than ten years from error.</p>	<p>DRAWN BY E.T.K. DATE 3-13-2002</p> <p>DESIGNED BY DATE</p> <p>CHECKED BY T.W. DATE</p> <p>APPROVED BY DATE</p>	<p>SCALE</p> <p>1" = 100'</p>
---	---	-------------------------------

DEPARTMENT OF PUBLIC WORKS AND UTILITIES
 ENGINEERING AND TECHNICAL SERVICES DIVISIONS
 CITY OF GRAND JUNCTION, COLORADO

RESOLUTION NO. __-02

A RESOLUTION ACCEPTING PETITIONS FOR ANNEXATION, MAKING CERTAIN FINDINGS, DETERMINING THAT PROPERTY KNOWN AS

ZAMBRANO ANNEXATION

IS ELIGIBLE FOR ANNEXATION

LOCATED AT 657 20 ½ ROAD

WHEREAS, on the 3rd day of April, 2002, a petition was submitted to the City Council of the City of Grand Junction, Colorado, for annexation to said City of the following property situate in Mesa County, Colorado, and described as follows:

A certain parcel of land lying in the West Half (W ½) of Section 15, Township 11 South, Range 101 West of the 6th Principal Meridian, Mesa County, Colorado and being more particularly described as follows:

COMMENCING at the Southeast corner of the Northwest Quarter (NW ¼) of said Section 15, and considering the East line of the Southeast Quarter of the Northwest Quarter (SE ¼ NW ¼) of said Section 15 to bear N 00°58'57" E with all bearings contained herein being relative thereto; thence from said Point of Commencement, N 00°58'57" E along the East line of the SE ¼ NW ¼ of said Section 15 a distance of 351.00 feet to the TRUE POINT OF BEGINNING; thence from said Point of Beginning, leaving said East line, S 63°27'56" W a distance of 799.99 feet; thence S 49°53'30" W a distance of 803.55 feet, more or less, to a point on the West line of the Northeast Quarter of the Southwest Quarter (NE ¼ SW ¼) of said Section 15; thence N 01°06'50" E, along the West line of the NE ¼ SW ¼ of said Section 15, a distance of 536.61 feet to a point being the Northwest corner of the NE ¼ SW ¼ of said Section 15; thence N 00°42'51" E along the West line of the SE ¼ NW ¼ of said Section 15 a distance of 220.70 feet; thence leaving said West line, S 89°54'48" E a distance of 698.81 feet; thence N 00°07'03" E a distance of 239.87 feet; thence S 89°54'35" E a distance of 619.88 to a point on the East line of the SE ¼ NW ¼ of said Section 15; thence S 00°58'57" W, along the East line of the SE ¼ NW ¼ of said Section 15, a distance of 119.98 feet, more or less, to the Point of Beginning.

WHEREAS, a hearing on the petition was duly held after proper notice on the 15th day of May, 2002; and

WHEREAS, the Council has found and determined and does hereby find and determine that said petition is in substantial compliance with statutory requirements therefor; that one-sixth of the perimeter of the area proposed to be annexed is contiguous

with the City; that a community of interest exists between the territory and the City; that the territory proposed to be annexed is urban or will be urbanized in the near future; that the said territory is integrated or is capable of being integrated with said City; that no land held in identical ownership has been divided without the consent of the landowner; that no land held in identical ownership comprising more than twenty acres which, together with the buildings and improvements thereon, has an assessed valuation in excess of two hundred thousand dollars is included without the landowner's consent; and that no election is required under the Municipal Annexation Act of 1965.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION THAT:

The said territory is eligible for annexation to the City of Grand Junction, Colorado, and should be so annexed by Ordinance.

ADOPTED this 15th day of May, 2002.

Attest:

President of the Council

City Clerk

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

**AN ORDINANCE ANNEXING TERRITORY TO THE
CITY OF GRAND JUNCTION, COLORADO**

ZAMBRANO ANNEXATION

APPROXIMATELY 11.282 ACRES

LOCATED AT 657 20 ½ ROAD

WHEREAS, on the 3rd day of April, 2002, the City Council of the City of Grand Junction considered a petition for the annexation of the following described territory to the City of Grand Junction; and

WHEREAS, a hearing on the petition was duly held after proper notice on the 15th day of May, 2002; and

WHEREAS, the City Council determined that said territory was eligible for annexation and that no election was necessary to determine whether such territory should be annexed;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION, COLORADO:

That the property situate in Mesa County, Colorado, and described to wit:

A certain parcel of land lying in the West Half (W ½) of Section 15, Township 11 South, Range 101 West of the 6th Principal Meridian, Mesa County, Colorado and being more particularly described as follows:

COMMENCING at the Southeast corner of the Northwest Quarter (NW ¼) of said Section 15, and considering the East line of the Southeast Quarter of the Northwest Quarter (SE ¼ NW ¼) of said Section 15 to bear N 00°58'57" E with all bearings contained herein being relative thereto; thence from said Point of Commencement, N 00°58'57" E along the East line of the SE ¼ NW ¼ of said Section 15 a distance of 351.00 feet to the TRUE POINT OF BEGINNING; thence from said Point of Beginning, leaving said East line, S 63°27'56" W a distance of 799.99 feet; thence S 49°53'30" W a distance of 803.55 feet, more or less, to a point on the West line of the Northeast

Quarter of the Southwest Quarter (NE ¼ SW ¼) of said Section 15; thence N 01°06'50" E, along the West line of the NE ¼ SW ¼ of said Section 15, a distance of 536.61 feet to a point being the Northwest corner of the NE ¼ SW ¼ of said Section 15; thence N 00°42'51" E along the West line of the SE ¼ NW ¼ of said Section 15 a distance of 220.70 feet; thence leaving said West line, S 89°54'48" E a distance of 698.81 feet; thence N 00°07'03" E a distance of 239.87 feet; thence S 89°54'35" E a distance of 619.88 to a point on the East line of the SE ¼ NW ¼ of said Section 15; thence S 00°58'57" W, along the East line of the SE ¼ NW ¼ of said Section 15, a distance of 119.98 feet, more or less, to the Point of Beginning.

be and is hereby annexed to the City of Grand Junction, Colorado.

INTRODUCED on first reading on the 3rd day April, 2002.

ADOPTED and ordered published this ___ day of _____, 2002.

Attest:

President of the Council

City Clerk

Attach 13
Public Hearing – Zoning the Zambrano Annexation
CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA							
Subject		Zoning the Zambrano Annexation located at 657 20 ½ Road					
Meeting Date		May 15, 2002					
Date Prepared		May 9, 2002			File # ANX-2002-053		
Author		Bill Nebeker		Senior Planner			
Presenter Name		Bill Nebeker		Senior Planner			
Report results back to Council		X	No		Yes	When	
Citizen Presentation			Yes		No	Name	
	Workshop	X	Formal Agenda			Consent	X Individual Consideration

Summary: The applicant requests to zone the Zambrano Annexation located at 657 20 ½ Road to Residential Single Family - Four Dwellings Per Acre (RSF-4). At it's hearing of April 23, 2002 the Planning Commission recommended approval of this request.

Budget: N/A

Action Requested/Recommendation: Adopt ordinance on second reading.

Attachments:

1. Staff Report
2. Vicinity map
3. Aerial photo
4. Growth Plan Future Land Use Map
5. Ordinance Zoning the Zambrano Annexation

Background Information: See attached

BACKGROUND INFORMATION					
Location:		657 20 ½ Road			
Applicants:		John & Janice Zambrano			
Existing Land Use:		Single family home & vacant			
Proposed Land Use:		Single family residential (22 lots)			
Surrounding Land Use:	North	Single family residential			
	South	Single family residential			
	East	Single family residential & vacant			
	West	Single family residential			
Existing Zoning:		County RSF-4			
Proposed Zoning:		RSF-4			
Surrounding Zoning:	North	City PD (Independence Ranch)			
	South	County RSF-4			
	East	County RSF-4			
	West	County PD (Independence Valley)			
Growth Plan Designation:		Residential Medium Low (2 to 4 du/acre)			
Zoning within density range?		X	Yes		No

PROJECT BACKGROUND:

Zone of Annexation

The applicant is requesting a zone of annexation from County RSF-4 to City RSF-4. This zoning is consistent with the Future Land Use Map density of 2 to 4 dwellings per acre for this area. Also the zoning is consistent with the density of developed subdivisions located to the north, east and south of this site. The net density proposed for the Zambrano Subdivision is 2.1 dwellings per acre (includes lots and streets). The net density of the Independence Ranch Subdivision to the north, the only adjacent property that is within city limits, is 2.6 dwellings per acre. The net density for surrounding subdivisions located in the county is: Suncrest Subdivision to the south - 1.9 dwellings per acre; Country Squire Subdivision to the south - 1.7 dwellings per acre; Homestead Subdivision to the east (undeveloped) – 2.4 dwellings per acre.

The Growth Plan designation for the Independence Valley Subdivision to the west is .5 to 2 dwellings per acre. The density of Filing 2 is about 0.64 dwellings per acre.

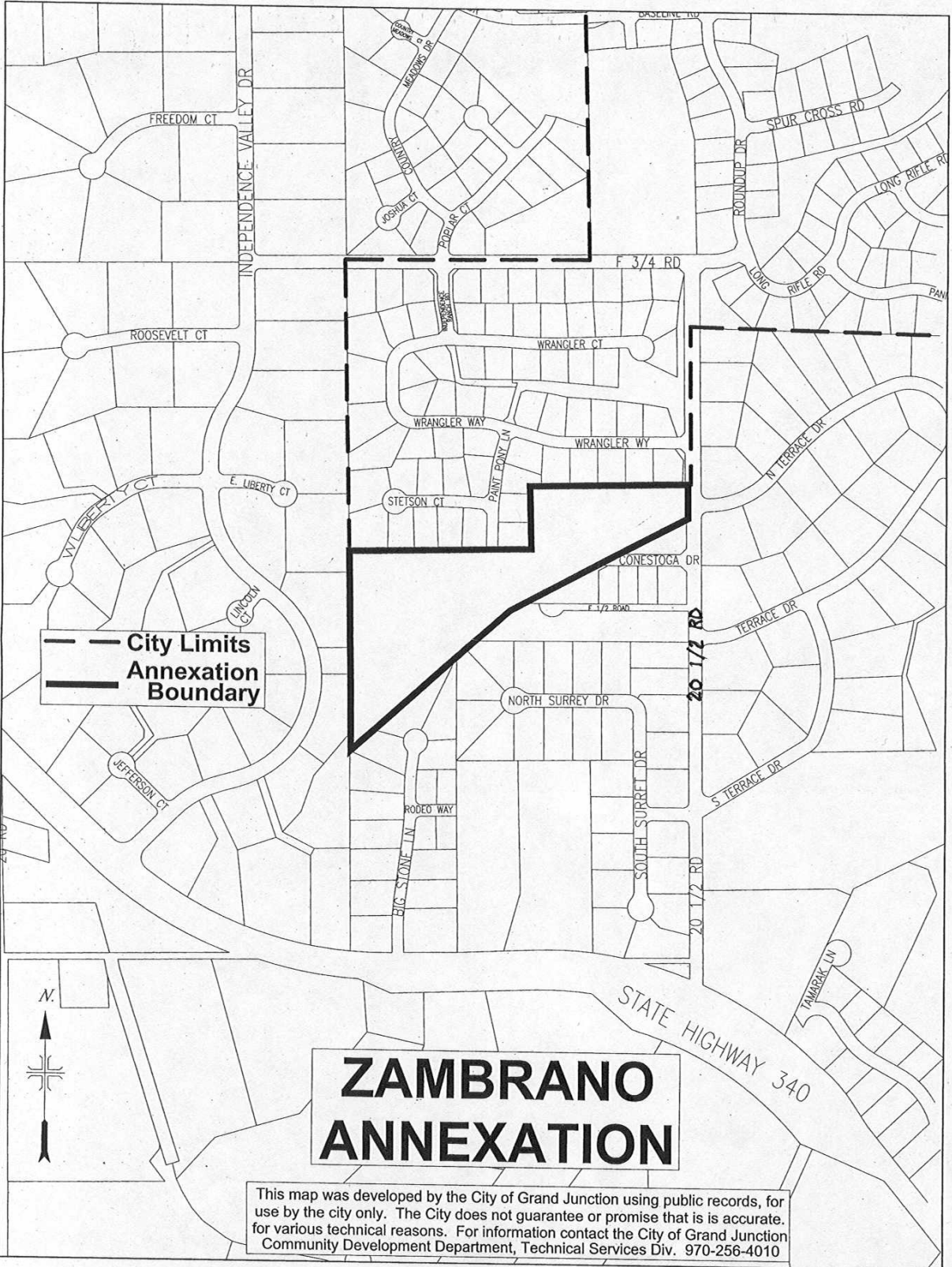
At its hearing of April 23, 2002 the Planning Commission found the proposed rezone in compliance with Section 2.6.A of the Zoning and Development Code as follows. The Planning Commission's comments are shown in italicized text.

1. The existing zoning was *not* in error at the time of adoption. *This criterion is not applicable since the only change is from county to city zoning.*
2. There has been a change of character in the neighborhood due to installation of public facilities, other zone changes, new growth trends, deterioration, development transitions, etc. *No increase in density is proposed with this rezone. However, there has been a change in character in the area due to the construction of subdivisions surrounding this site. The proposed zoning and the density of this subdivision are consistent with that for parcels to the north, east and south.*
3. The proposed rezone is compatible with the neighborhood and will not create adverse impacts such as: capacity or safety of the street network, parking problems, storm water or drainage problems, water, air or noise pollution, excessive nighttime lighting, or other nuisances. *The proposed rezone does not constitute an increase in density over the zoning allowed in the county, hence the zone change in and of itself will have no impact on adjacent properties. The proposed plat will have an impact on the neighborhood simply due to the change in land use from vacant to an urbanized use, particularly since this property is infill development and abuts lower density rural parcels to the west.*
4. The proposal conforms with and furthers the goals and policies of the Growth Plan, other adopted plans, and the policies, the requirements of this Code, and other City regulations and guidelines. *Yes, the plan is in conformance with the Future Land Use plan and several goals and policies of the Growth Plan.*
5. Adequate public facilities and services are available or will be made available concurrent with the projected impacts of the proposed development. *All utilities and two accesses are available to serve the development. Conestoga Drive to the east has not been constructed by the developer of the Homestead Subdivision, however this developer will construct a two-lane pavement section to 20 ½ Road. 20 ½ is a two-lane street that provides the main access for this subdivision to Highway 340. This street has been determined to be adequate in size to accommodate the increased traffic generated by this development.*
6. There is not an adequate supply of land available in the neighborhood and surrounding area to accommodate the zoning and community needs. *Not applicable.*

7. The community or neighborhood will benefit from the proposed zone. *The applicant is providing new housing for a growing Grand Junction population. The site is infill development and will allow for a greater efficiency of services in the area.*

Note: The Planning Commission's approval of the preliminary plat for this subdivision has been appealed. The hearing for the appeal will be scheduled at a later date.

Action Requested/Recommendation: Adopt ordinance on second reading.

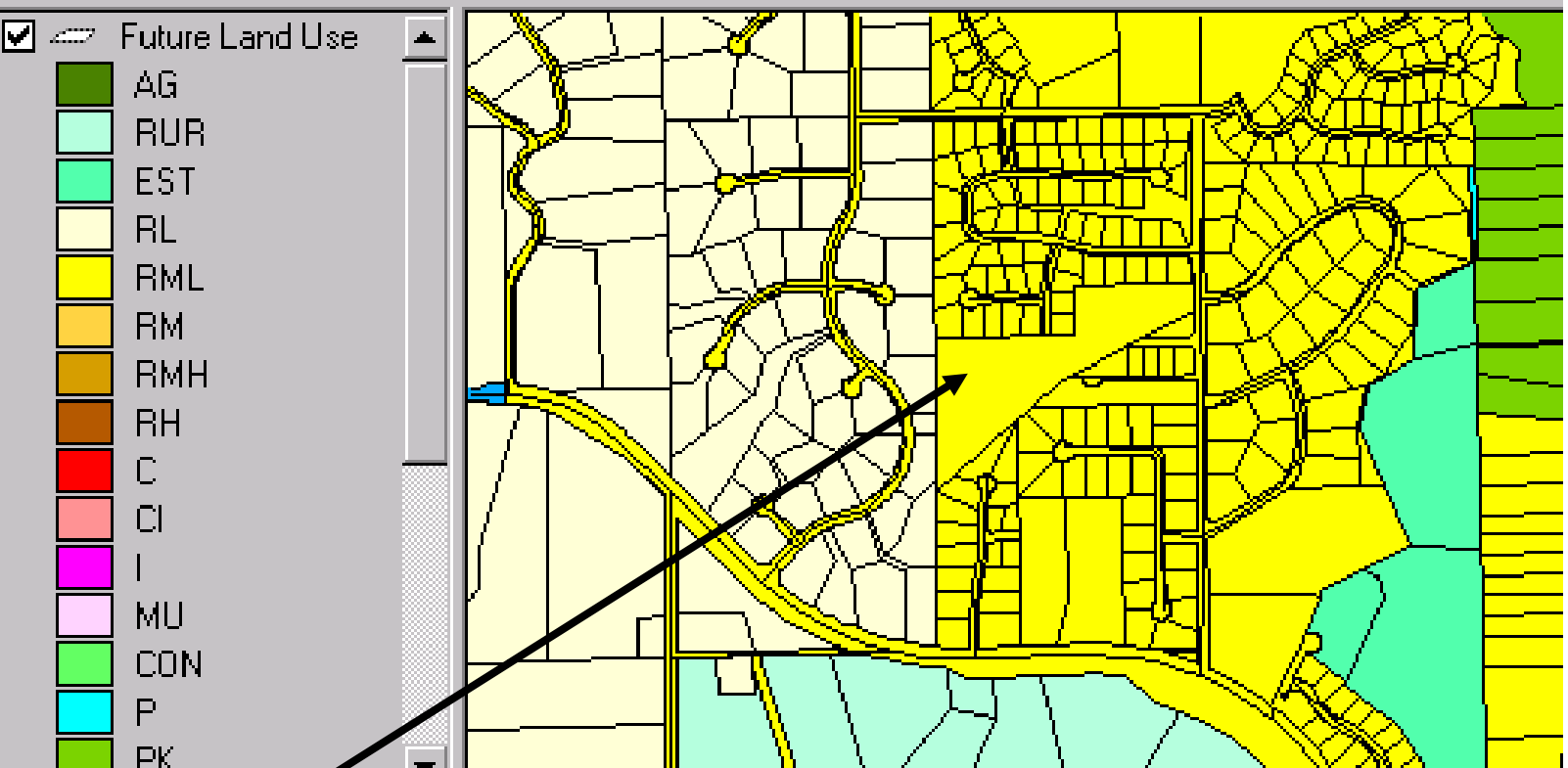


- - - City Limits
 ——— Annexation Boundary

ZAMBRANO ANNEXATION

This map was developed by the City of Grand Junction using public records, for use by the city only. The City does not guarantee or promise that it is accurate, for various technical reasons. For information contact the City of Grand Junction Community Development Department, Technical Services Div. 970-256-4010

Growth Plan Future Land Use Map



Subject Property - 2 to 4 dwellings per acre

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO. _____

**ZONING THE ZAMBRANO ANNEXATION
RESIDENTIAL SINGLE FAMILY – FOUR (RSF-4),
LOCATED AT 657 20 ½ ROAD**

Recitals.

After public notice and public hearing as required by the Grand Junction Zoning and Development Code, the Grand Junction Planning Commission recommended approval of applying a Residential Single Family - Four (RSF-4) zone district to this annexation.

After public notice and public hearing before the Grand Junction City Council, City Council finds that the RSF-4 zone district be established for the following reasons:

- This zone district meets the criteria of Section 2.14.F of the Zoning and Development Code by being identical to or nearly identical to the former Mesa County zoning for each parcel and conforms to the adopted Growth Plan Future Land Use Map.
- This zone district meets the criteria found in Section 2.6 of the Zoning and Development Code.

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND
JUNCTION THAT:**

The following property shall be zoned Residential Single Family - Four (RSF-4) zone district.

Includes the following tax parcel 2947-153-00-015.

A certain parcel of land lying in the West Half (W ½) of Section 15, Township 11 South, Range 101 West of the 6th Principal Meridian, Mesa County, Colorado and being more particularly described as follows:

COMMENCING at the Southeast corner of the Northwest Quarter (NW ¼) of said Section 15, and considering the East line of the Southeast Quarter of the Northwest Quarter (SE ¼ NW ¼) of said Section 15 to bear N 00°58'57" E with all bearings contained herein being relative thereto; thence from said Point of Commencement, N 00°58'57" E along the East line of the SE ¼ NW ¼ of said Section 15 a distance of 351.00 feet to the TRUE POINT OF BEGINNING; thence from said Point of Beginning, leaving said East line, S 63°27'56" W a distance of 799.99 feet; thence S 49°53'30" W a distance of 803.55 feet, more or less, to a point on the West line of the Northeast Quarter of the Southwest Quarter (NE ¼ SW ¼) of said Section 15; thence N 01°06'50"

E, along the West line of the NE ¼ SW ¼ of said Section 15, a distance of 536.61 feet to a point being the Northwest corner of the NE ¼ SW ¼ of said Section 15; thence N 00°42'51" E along the West line of the SE ¼ NW ¼ of said Section 15 a distance of 220.70 feet; thence leaving said West line, S 89°54'48" E a distance of 698.81 feet; thence N 00°07'03" E a distance of 239.87 feet; thence S 89°54'35" E a distance of 619.88 to a point on the East line of the SE ¼ NW ¼ of said Section 15; thence S 00°58'57" W, along the East line of the SE ¼ NW ¼ of said Section 15, a distance of 119.98 feet, more or less, to the Point of Beginning.

Introduced on first reading this _____ day of _____, 2002.

PASSED and ADOPTED on second reading this ____ day of _____, 2002.

Attest:

President of the Council

City Clerk

Attach 14
Public Hearing –ISRE Annexation

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA						
Subject	Public Hearing-ISRE Annexation located at 2990 D-1/2 Road					
Meeting Date	May 15, 2002					
Date Prepared	May 9, 2002			File: ANX-2002-049		
Author	Kristen Ashbeck		Senior Planner			
Presenter Name	Kristen Ashbeck		Senior Planner			
Report results back to Council	X	No		Yes	When	
Citizen Presentation	X	Yes		No	Name	Jeffory Crane
	Workshop	X	Formal Agenda		Consent	X Individual Consideration

Summary: The ISRE Annexation area consists of a 14.149-acre parcel of land located at 2990 D-1/2 road. The property owner has requested annexation into the City as the result of proposing a Growth Plan Amendment for the property to be considered by City Council at a later date. Under the Persigo Agreement all such types of development require annexation and processing in the City.

Budget: N/A

Action Requested: Approval of Resolution accepting Annexation Petition and second reading of Annexation Ordinance

Attachments:

1. Background Information/Staff Analysis
2. Annexation Map
3. Resolution of Acceptance
4. Annexation Ordinance

ISRE ANNEXATION BACKGROUND INFORMATION			
Location		2990 D-1/2 Road	
Applicant		ISRE, LLC	
Existing Land Use		Large Lot Single Family Residential	
Proposed Land Use		Single or Multifamily Residential	
Surrounding Land Use	North	Commercial/Industrial and Large Lot Single Family Residential	
	South	Single Family Residential	
	East	Large Lot Single Family Residential	
	West	Single Family Residential	
Existing Zoning (Mesa County)		RSF-R and I (Industrial)	
Proposed Zoning		RSF-4	
Surrounding Zoning (Mesa Co)	North	RSF-R and I	
	South	RSF-R and PUD	
	East	RSF-R	
	West	RSF-R and I	
Growth Plan Designation		Residential Medium Low – 2 to 4 units per acre	
Zoning within density range?	X	Yes	No

STAFF ANALYSIS

It is staff's professional opinion, based on review of the petition and knowledge of applicable state law, including the Municipal Annexation Act Pursuant to C.R.S. 31-12-104, that the ISRE Annexation is eligible to be annexed because of compliance with the following:

- a) A proper petition has been signed by more than 50% of the owners and more than 50% of the property described;
- b) Not less than one-sixth of the perimeter of the area to be annexed is contiguous with the existing City limits;
- c) A community of interest exists between the area to be annexed and the City. This is so in part because the Central Grand Valley is essentially a single demographic and economic unit and occupants of the area can be expected to, and regularly do, use City streets, parks and other urban facilities;
- d) The area is or will be urbanized in the near future;
- e) The area is capable of being integrated with the City;
- f) No land held in identical ownership is being divided by the proposed annexation;

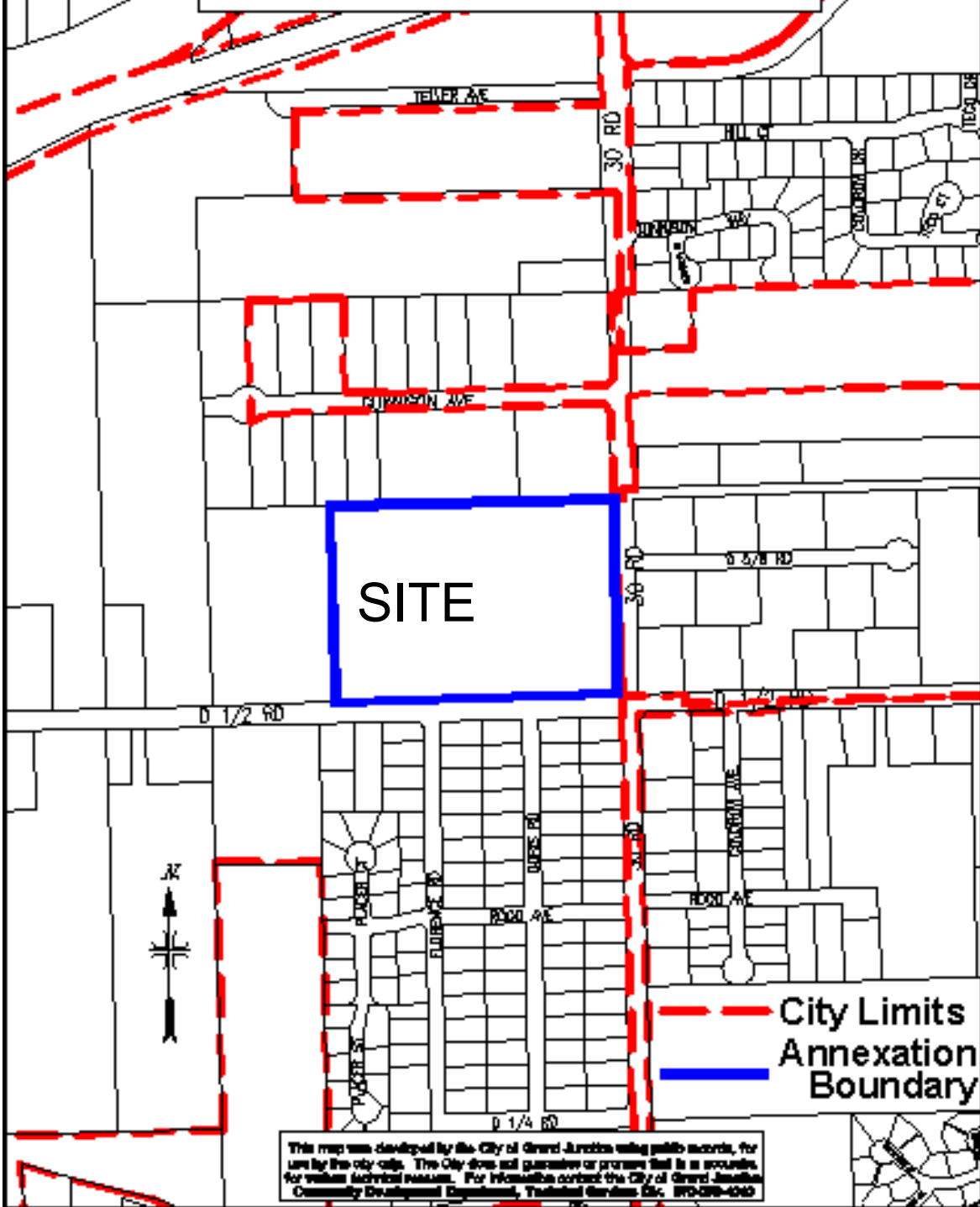
- g) No land held in identical ownership comprising 20 contiguous acres or more with an assessed valuation of \$200,000 or more for tax purposes is included without the owners consent.

ISRE ANNEXATION SCHEDULE	
April 3rd	Referral of Petition (30 Day Notice), First Reading, Exercising Land Use
April 9th	Planning Commission considers Zone of Annexation
May 1st	First Reading on Zoning by City Council
May 15th	Acceptance of Petition and Zoning by City Council
June 16th	Effective date of Annexation and Zoning

ISRE ANNEXATION SUMMARY		
File Number	ANX-2002-049	
Location	2990 D-1/2 Road	
Tax ID Number	2943-171-00-144	
Parcels	1	
Estimated Population	2	
# of Parcels (owner occupied)	0	
# of Dwelling Units	1	
Acres land annexed	14.149	
Developable Acres Remaining	12.92	
Right-of-way in Annexation	893.28 feet of 60-foot right-of-way for D-1/2 Road	
Previous County Zoning	RSF-R and I	
Proposed City Zoning	Residential Single Family with a maximum density of 4 units per acre (RSF-4)	
Current Land Use	Large Lot Single Family Residential	
Future Land Use	Single or Multifamily Residential	
Values	Assessed	\$ 10,580
	Actual	\$115,560
Census Tract	8	
Address Ranges	2982-2998 D-1/2 Road, even only 451-461 30 Road, odd only	

Special Districts	Water	Ute Water
	Sewer	Central Grand Valley
	Fire	Grand Junction Rural
	Drainage	Grand Junction Drainage District
	School	Mesa County Valley District 51
	Pest	N/A

ISRE ANNEXATION



This map was developed by the City of Grand Junction using public records, for use by the city only. The City does not guarantee or promise that it is accurate for other technical purposes. For information contact the City of Grand Junction Community Development Department, Technical Services Div. 970-299-4242

**CITY OF GRAND JUNCTION, COLORADO
RESOLUTION NO. ____-02**

**A RESOLUTION ACCEPTING A PETITION FOR ANNEXATION, MAKING
CERTAIN FINDINGS, DETERMINING THAT PROPERTY KNOWN AS**

**ISRE ANNEXATION
LOCATED at 2990 D-1/2 Road**

IS ELIGIBLE FOR ANNEXATION

WHEREAS, on the 3rd day of April, 2002, a petition was referred to the City Council of the City of Grand Junction, Colorado, for annexation to said City of the following property situate in Mesa County, Colorado, and described as follows:

A certain parcel of land lying in the East half (E ½) of Section 17, Township 1 South, Range 1 East of the Ute Principal Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

COMMENCING at the East Quarter (E ¼) corner of said Section 17 and considering the South line of the South half of the Southeast Quarter of the Northeast Quarter (S ½ SE ¼ NE ¼) of said Section 17 to bear N 89°59'59" W with all bearings contained herein being relative thereto; thence N 89°59'59" W along the South line of the S ½ SE ¼ NE ¼ of said Section 17 a distance of 30.00 feet to the TRUE POINT OF BEGINNING; thence from said Point of Beginning, S 00°00'33" W along a line 30.00 feet West of and parallel with the East line of the Northeast Quarter of the Southeast Quarter (NE ¼ SE ¼) of said Section 17, a distance of 30.00 feet to a point on the South right of way for D ½ Road; thence N 89°59'59" W, along the South right of way for D ½ Road, said line being 30.00 feet South of and parallel with the South line of the S ½ SE ¼ NE ¼ of said Section 17, a distance of 893.22 feet; thence N 00°05'59" W along the East line of the West 6.0 acres of the S ½ SE ¼ NE ¼, and its Southerly extension, a distance of 689.66 feet, more or less, to a point on the South line of Banner Industrial Park, as same is recorded in Plat Book 11, Page 362, Public Records of Mesa County, Colorado; thence S 89°59'39" E along said Southerly line and the Easterly extension thereof, a distance of 894.24 feet, more or less, to a point on the West right of way for 30 Road; thence S 00°00'59" E, along said West right of way for 30 Road and its Southerly extension thereof, said line being 30.00 feet West of and parallel with the East line of the S ½ SE ¼ NE ¼ of said Section 17, a distance of 659.57 feet, more or less, to the Point of Beginning.

Containing 616,336.1 Square Feet or 14.149 Acres, more or less, as described.

WHEREAS, a hearing on the petition was duly held after proper notice on the 15th day of May, 2002; and

WHEREAS, the Council has found and determined and does hereby find and determine that said petition is in substantial compliance with statutory requirements therefore; that one-sixth of the perimeter of the area proposed to be annexed is contiguous with the City; that a community of interest exists between the territory and the City; that the territory proposed to be annexed is urban or will be urbanized in the near future; that the said territory is integrated or is capable of being integrated with said City; that no land held in identical ownership has been divided without the consent of the landowner; that no land held in identical ownership comprising more than twenty acres which, together with the buildings and improvements thereon, has an assessed valuation in excess of two hundred thousand dollars is included without the landowners' consent; and that no election is required under the Municipal Annexation Act of 1965.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION:

The said territory is eligible for annexation to the City of Grand Junction, Colorado, and should be so annexed by Ordinance.

ADOPTED this 15th day of May, 2002.

Attest:

President of the Council

City Clerk

**CITY OF GRAND JUNCTION, COLORADO
ORDINANCE NO. _____**

**AN ORDINANCE ANNEXING TERRITORY TO THE
CITY OF GRAND JUNCTION, COLORADO**

**ISRE ANNEXATION
APPROXIMATELY 14.149 ACRES
LOCATED at 2990 D-1/2 Road**

WHEREAS, on the 3rd day of April, 2002, the City Council of the City of Grand Junction considered a petition for the annexation of the following described territory to the City of Grand Junction; and

WHEREAS, a hearing on the petition was duly held after proper notice on the 15th day of May, 2002; and

WHEREAS, the City Council determined that said territory was eligible for annexation and that no election was necessary to determine whether such territory should be annexed.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION, COLORADO:

That the property situate in Mesa County, Colorado, and described to wit:

ISRE ANNEXATION

A certain parcel of land lying in the East half (E ½) of Section 17, Township 1 South, Range 1 East of the 11th Principal Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

COMMENCING at the East Quarter (E ¼) corner of said Section 17 and considering the South line of the South half of the Southeast Quarter of the Northeast Quarter (S ½ SE ¼ NE ¼) of said Section 17 to bear N 89°59'59" W with all bearings contained herein being relative thereto; thence N 89°59'59" W along the South line of the S ½ SE ¼ NE ¼ of said Section 17 a distance of 30.00 feet to the TRUE POINT OF BEGINNING; thence from said Point of Beginning, S 00°00'33" W along a line 30.00 feet West of and parallel with the East line of the Northeast Quarter of the Southeast Quarter (NE ¼ SE ¼) of said Section 17, a distance of 30.00 feet to a point on the South right of way for D ½ Road; thence N 89°59'59" W, along the South right of way for D ½ Road, said line being 30.00 feet South of and parallel with the South line of the S ½ SE ¼ NE ¼ of said Section 17, a distance of 893.22 feet; thence N 00°05'59" W along the East line of the West 6.0 acres of the S ½ SE ¼ NE ¼, and its Southerly extension, a distance of

689.66 feet, more or less, to a point on the South line of Banner Industrial Park, as same is recorded in Plat Book 11, Page 362, Public Records of Mesa County, Colorado; thence S 89°59'39" E along said Southerly line and the Easterly extension thereof, a distance of 894.24 feet, more or less, to a point on the West right of way for 30 Road; thence S 00°00'59" E, along said West right of way for 30 Road and its Southerly extension thereof, said line being 30.00 feet West of and parallel with the East line of the S ½ SE ¼ NE ¼ of said Section 17, a distance of 659.57 feet, more or less, to the Point of Beginning.

Containing 616,336.1 Square Feet or 14.149 Acres, more or less, as described.

be and is hereby annexed to the City of Grand Junction, Colorado.

INTRODUCED on first reading on the 3rd day of April, 2002.

ADOPTED and ordered published this 15th day of May, 2002.

Attest:

President of the Council

City Clerk

Attach 15

Public Hearing – Zoning the ISRE Annexation

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA								
Subject		Zoning the ISRE Annexation located at 2990 D-1/2 Road						
Meeting Date		May 15, 2002						
Date Prepared		May 9, 2002			File: ANX-2002-049			
Author		Kristen Ashbeck		Senior Planner				
Presenter Name		Kristen Ashbeck		Senior Planner				
Report results back to Council		X	No		Yes	When		
Citizen Presentation		X	Yes		No	Name	Jeffory Crane	
	Workshop	X	Formal Agenda			Consent	X	Individual Consideration

Summary: The ISRE Annexation is a single parcel of land consisting of 14.149 acres located at 2990 D-1/2 Road. The petitioner is requesting a zone of Residential Single Family, 4 units per acre (RSF-4), which conforms to the Future Land Use Map of the Growth Plan. Planning Commission recommended approval at its April 23, 2002 meeting.

Budget: N/A

Action Requested/Recommendation: Adopt the ordinance zoning the ISRE Annexation.

Attachments:

1. Background Information/Staff Analysis
2. Annexation Map
3. Future Land Use Map
4. Zoning Ordinance

Location		2990 D-1/2 Road			
Applicant		ISRE, LLC			
Existing Land Use		Large Lot Single Family Residential			
Proposed Land Use		Single or Multifamily Residential			
Surrounding Land Use	North	Commercial/Industrial and Large Lot Single Family Residential			
	South	Single Family Residential			
	East	Large Lot Single Family Residential			
	West	Single Family Residential			
Existing Zoning (Mesa County)		RSF-R and I (Industrial)			
Proposed Zoning		RSF-4			
Surrounding Zoning (Mesa Co)	North	RSF-R and I			
	South	RSF-R and PUD			
	East	RSF-R			
	West	RSF-R and I			
Growth Plan Designation		Residential Medium Low – 2 to 4 units per acre			
Zoning within density range?		X	Yes		No

STAFF ANALYSIS

This annexation area consists of a 14.149-acre parcel of land located at 2990 D-1/2 Road. The property owner has requested annexation into the City as the result of proposing a Growth Plan Amendment for the property to be considered by City Council at a later date. Under the Persigo Agreement such type of development requires annexation and processing in the City.

State law requires the City to zone newly annexed areas within 90 days of the annexation. Under the 1998 Persigo Agreement, the City is to zone newly annexed areas either a district identical to current County zoning or a district that conforms to the City's Growth Plan's Future Land Use Map.

RSF-4 ZONE DISTRICT

- This property is currently zoned Residential Single Family Rural (RSF-R) and Industrial (I) in Mesa County, which does not conform to the Future Land Use Map.
- The proposed RSF-4 zone district conforms to the recommended densities of the Growth Plan Future Land Use Map, which designates this area as Residential Medium Low, 2 to 4 units per acre.
- Zoning this annexation with the RSF-4 zone district meets the criteria found in Sections 2.14.F and 2.6 of the Grand Junction Zoning and Development Code.

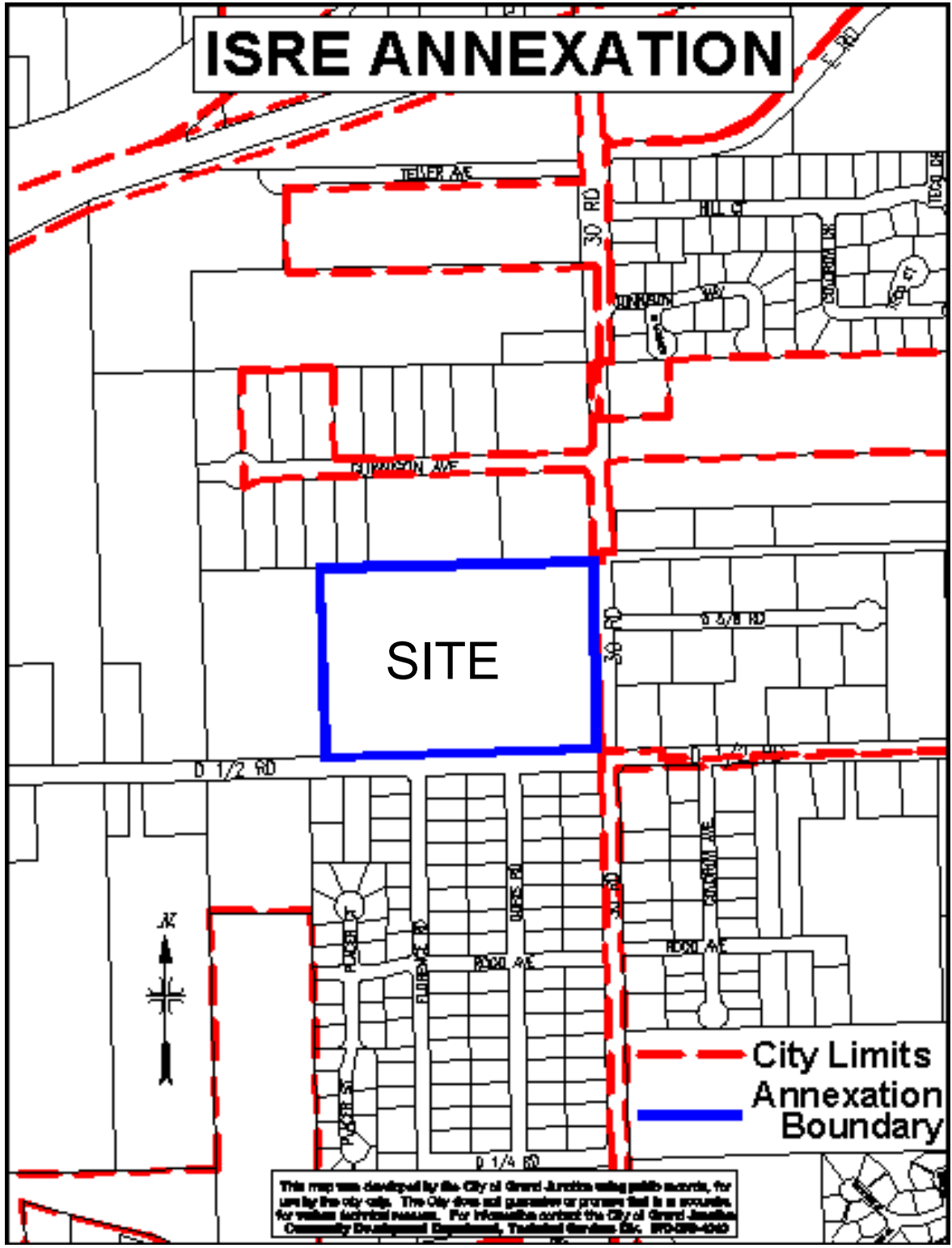
Zoning and Development Code Criteria.

Section 2.14.F: “Land annexed to the City shall be zoned in accordance with Section 2.6 to a district that is consistent with the adopted Growth Plan or consistent with existing County zoning.”

Section 2.6: Approval Criteria. In order to maintain internal consistency between this code and the Zoning Maps, map amendments must only occur if:

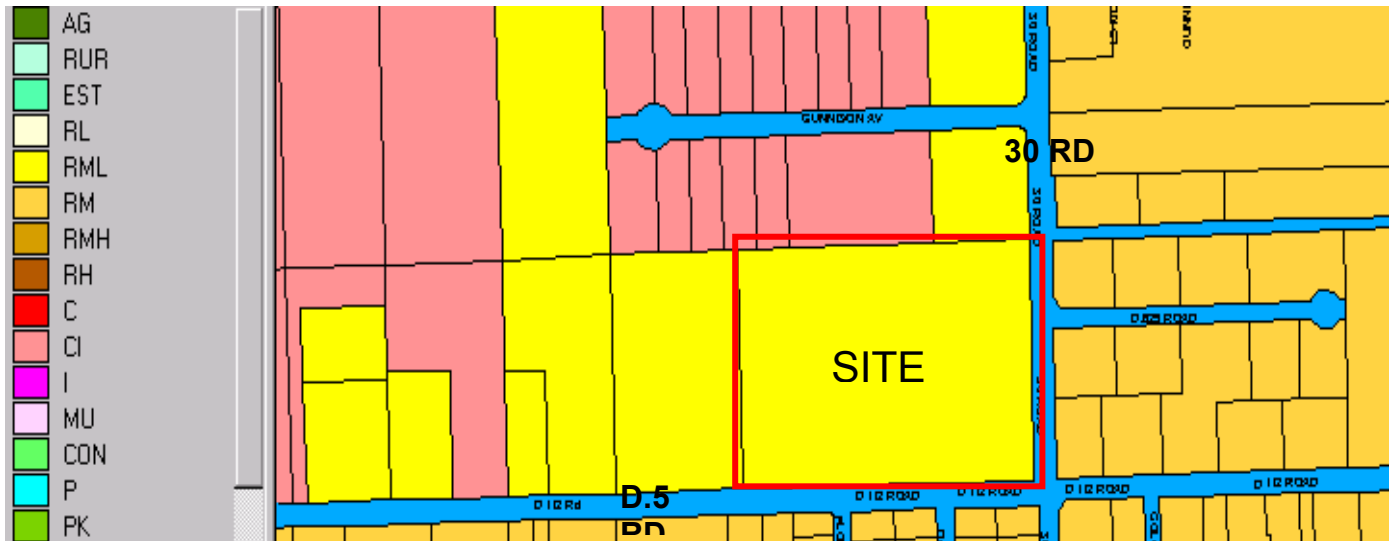
1. The existing zoning was in error at the time of adoption;
2. There has been a change of character in the neighborhood due to installation of public facilities, other zone changes, new growth trends, deterioration, development transitions, etc.
3. The proposed rezone is compatible with the neighborhood and will not create adverse impacts such as: capacity or safety of the street network, parking problems, storm water or drainage problems, water, air or noise pollution, excessive nighttime lighting, or other nuisances;
4. The proposal conforms with and furthers the goals and policies of the Growth Plan, other adopted plans, and the policies, the requirements of this Code, and other City regulations and guidelines;
5. Adequate public facilities and services are available or will be made available concurrent with the projected impacts of the proposed development;
6. There is not an adequate supply of land available in the neighborhood and surrounding area to accommodate the zoning and community needs; and
7. The community or neighborhood will benefit from the proposed zone.

ISRE ANNEXATION



This map was developed by the City of Grand Junction using public records, for use by the city only. The City does not guarantee or promise that it is accurate for various technical reasons. For information contact the City of Grand Junction Community Development Department, Technical Services Div. 870-GRJ-4040

FUTURE LAND USE MAP



CITY OF GRAND JUNCTION, COLORADO
ORDINANCE No. _____

**Zoning the ISRE Annexation to Residential Single Family
with a Maximum Density of 4 units per acre (RSF-4)
Located at 2990 D-1/2 Road**

Recitals.

After public notice and public hearing as required by the Grand Junction Zoning and Development Code, the Grand Junction Planning Commission recommended approval of applying an RSF-4 zone district to this annexation.

After public notice and public hearing before the Grand Junction City Council, City Council finds that the RSF-4 zone district be established for the following reasons:

- This zone district meets the criteria of Section 2.14.F of the Zoning and Development Code by conforming to the adopted Growth Plan Future Land Use Map.
- This zone district meets the criteria found in Section 2.6 of the Zoning and Development Code.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION THAT THE FOLLOWING PROPERTY SHALL BE ZONED THE RESIDENTIAL SINGLE FAMILY 4 UNITS PER ACRE (RSF-4) ZONE DISTRICT:

A certain parcel of land lying in the East half (E ½) of Section 17, Township 1 South, Range 6 East, 10th Principal Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

COMMENCING at the East Quarter (E ¼) corner of said Section 17 and considering the South line of the South half of the Southeast Quarter of the Northeast Quarter (S ½ SE ¼ NE ¼) of said Section 17 to bear N 89°59'59" W with all bearings contained herein being relative thereto; thence N 89°59'59" W along the South line of the S ½ SE ¼ NE ¼ of said Section 17 a distance of 30.00 feet to the TRUE POINT OF BEGINNING; thence from said Point of Beginning, S 00°00'33" W along a line 30.00 feet West of and parallel with the East line of the Northeast Quarter of the Southeast Quarter (NE ¼ SE ¼) of said Section 17, a distance of 30.00 feet to a point on the South right of way for D ½ Road; thence N 89°59'59" W, along the South right of way for D ½ Road, said line being 30.00 feet South of and parallel with the South line of the S ½ SE ¼ NE ¼ of said Section 17, a distance of 893.22 feet; thence N 00°05'59" W along the East line of the West 6.0 acres of the S ½ SE ¼ NE ¼, and its Southerly extension, a distance of 689.66 feet, more or less, to a point on the South line of Banner Industrial Park, as

same is recorded in Plat Book 11, Page 362, Public Records of Mesa County, Colorado; thence S 89°59'39" E along said Southerly line and the Easterly extension thereof, a distance of 894.24 feet, more or less, to a point on the West right of way for 30 Road; thence S 00°00'59" E, along said West right of way for 30 Road and its Southerly extension thereof, said line being 30.00 feet West of and parallel with the East line of the S ½ SE ¼ NE ¼ of said Section 17, a distance of 659.57 feet, more or less, to the Point of Beginning.

Containing 616,336.1 Square Feet or 14.149 Acres, more or less, as described.

INTRODUCED on first reading this 1st day of May 2002.

PASSED and ADOPTED on second reading this 15th day of May, 2002.

Mayor

ATTEST:

City Clerk

Attach 16
Public Hearing – Amending the Parking Ordinance
CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA						
Subject		Parking in Planting Strip				
Meeting Date		May 15, 2002				
Date Prepared		May 8, 2002			File # n/a	
Author		Stephanie Rubinstein		Staff City Attorney		
Presenter Name		Stephanie Rubinstein		Staff City Attorney		
Report results back to Council		<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	Yes	When
Citizen Presentation		<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No	Name
<input type="checkbox"/>	Workshop	<input checked="" type="checkbox"/>	Formal Agenda		<input type="checkbox"/>	Consent
<input type="checkbox"/>		<input type="checkbox"/>			<input checked="" type="checkbox"/>	Individual Consideration

Summary: This Ordinance prohibits parking in the “planting strip” which is defined as that area between the back of curb of any street and the edge of the sidewalk closest to the street or if there is no curb then from edge of asphalt of any street and the edge of the sidewalk.

Budget: None

Action Requested/Recommendation: Approval of Ordinance on Second Reading.

Attachments: Ordinance

Background Information: In certain areas of the City detached sidewalks have been constructed. Over time and in some particular locations, especially in downtown the area between the street (back of curb) and the sidewalk that was intended for landscaping has been used for the parking of motor vehicles, recreational vehicles and boats. Many of these areas are not now landscaped, surfaced or otherwise maintained. The practice of parking on the “planting strip” creates hazards for pedestrians and makes the adjacent properties less attractive. Existing law including the Model Traffic

Code does not clearly address the problem. Furthermore, Section 40-58 of the Code of Ordinances relating to the maintenance of “street parking” requires landscaping to be maintained in this area and further confuses whether parking is or is not allowed in the “planting strip” area.

ORDINANCE NO. _____
**AN ORDINANCE AMENDING CHAPTERS 36 AND 40 OF THE CITY OF GRAND
JUNCTION, COLORADO CODE OF ORDINANCES
RELATED TO PARKING**

RECITALS:

In certain areas of the City detached sidewalks have been constructed. When walkways are constructed away from the street a pleasing appearance with benefits for pedestrians is created. Over time and in some particular locations especially in downtown the area between the street (back of curb) and the sidewalk that was intended for landscaping has been used for the parking of motor vehicles, recreational vehicles and boats. Many of these areas are not now landscaped, surfaced or otherwise maintained. The practice of parking on the "planting strip" creates hazards for pedestrians and makes the adjacent properties less attractive. Many of the planting strips are located in the public right of way; for those that are not in the right of way the City has found that the hazards that are created by and attendant to parking so close to the street and the sidewalk warrant regulation in the best interest of the general health, safety and welfare of the City.

Existing law including the Model Traffic Code does not clearly address the problem. Furthermore, Section 40-58 of the Code of Ordinances relating to the maintenance of "street parking" requires landscaping to be maintained in this area and further confuses whether parking is or is not allowed in the "planting strip" area. By this Ordinance the City Council prohibits parking in the "planting strip" which is defined as that area between the back of curb of any street and the edge of the sidewalk closet to the street or if there is no curb then from edge of asphalt of any street and the edge of the sidewalk

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION THAT:

Chapters 36 and 40 of the Code of Ordinances of the City of Grand Junction be amended as follows:

That Section 36-1 (3) shall be amended to read:

(3) Application. This section shall apply to every street, alley, sidewalk, driveway, park, PLANTING STRIP and every other public way or public parking area, either within or outside of the corporate limits of this municipality, the use of which this municipality has jurisdiction to regulate.

The remainder of the section shall remain the same.

That Article 11, Section 102 is hereby amended by the creation of subsection 92 to read as follows:

“PLANTING STRIP” shall refer to that area between the back of any curb of any street and the edge of the sidewalk closet to the street or if there is no curb then from edge of asphalt of any street and the edge of the sidewalk

That Section 36-17 shall be amended to include subsection (a) (12):

“(12) either in whole or in part on a planting strip.”

That Section 40-58 shall be entitled as follows and subsection (a) amended as follows:

Section 40-58. Maintenance of PLANTING STRIP

(a) “PLANTING STRIP” shall refer to that area between the back of any curb of any street and the edge of the sidewalk closet to the street or if there is no curb then from edge of asphalt of any street and the edge of the sidewalk

All references to “street parking” shall be changed to read, “planting strip.”

Introduced this _____ day of _____, 2002.

Passed and adopted this _____ day of _____, 2002.

President of the Council

ATTEST:

City Clerk